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REPORT

OF A

SPECIAL COMMITTEE

OF THE

HOUSE OF ASSEMBLY

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EDUCATION

IN THIS

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[ORDERED TO BE PRINTED THE TWENTY-FIFTH FEBRUARY 1824.]

QUEBEC:

Printed by NEILSON & COWAN, No. 3, Mountain Street.

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EDUCATION REPORT.

YOUR Committee, desirous of obtaining from the most authentic sources information upon the matter referred to them, caused questions relating thereto to be put to the Gentlemen composing the SEMINARY of Quebec, also to the Reverend Mr. MILLS, D. D. & Secretary to the Royal Institution for the advancement of learning in this Province and of the Diocesan Committee for Promoting Christian Knowledge, to J. F. PERRAULT, Esq. President of the Society of Education for the District of Quebec, and to the Reverend Mr. WILKIE, who has long presided over an Academy at Quebec, to the Reverend Mr. BURRAGE, who within these late years has been appointed and acted as Master of the Royal Grammar School at Quebec, and to Mr. J. B. CORBIN.

The questions put to these Gentlemen, severally, with their respective Answers, will be found in the Appendix to this Report under the Letter [A.]

In the extensive field of enquiry into which your Committee were called upon to enter, it seemed to them most conducive to the discovery of the truth, that some detached portion should be selected for examination in the first instance, and that availing themselves of the permission given to them by the House of reporting from time to time upon the matter referred, they should continue their enquiries into the causes which have retarded the progress of Education in this Province, and Report from time to time, under general heads, the results of those enquiries.

Your Committee could not fail to see, that one of the main causes which have retarded the progress of Education in this Province has been the withdrawing of the Rents, Issues and Profits, of the Estates heretofore belonging to the late Order of the Jesuits from the purposes of their original use and destination, and employing them for other purposes, not known to your Committee, nor to the Public.

Some important Documents relating to these Estates being in the hands of the Heirs of the late Honorable J. A. Panet, Esquire, in his life time Speaker of the Assembly, those Gentlemen were requested to lay them before the Committee, which was accordingly done, and they will be found in the Appendix to this Report under the Letter [B.]

Amongst these Papers will be found an opinion of His Majesty's Attorney General and Solicitor General for the Province upon the subject immediately under consideration, bearing date the 18th of May 1790: wherein amongst other things it is said; "as a derelict or vacant "Estate His Majesty became vested in it by the clearest of Titles, if "the right of Conquest alone was not sufficient, but even upon the

" footing of the proceedings in France and the Judicial Acts of the " Sovereign Tribunals in that Country, the Estates in this Province " would naturally fall to His Majesty, and be subjected to his unlimi- " ted disposal, for by those decisions it was established upon good legal " and constitutional grounds, that from the nature of the first Establish- " ment or Admission of the Society into France, being conditional, " temporary, and probational, they were at all times liable to expul- " sion, and having never complied with, but rejected the terms of their " admission, they were not even entitled to the name of a Society ; whe- " refore, and by reason of the abuses and destructive principles of their " Institution, they were stript of their property and possessions which " they were ordered to quit upon ten days notice, after having been " compelled to give in a full statement of all they had, with the several " Title Deeds, and Documents or Proofs in support of it. Seques- " trators or Guardians were appointed to the management of their Es- " tates, and in a course of time and with a regularity proportioned to " their importance, provision was made for the application of them in " the various ways that Law, Reason, Justice, and Policy dictated ; " and all this was done at the suit of the Crown Officer by the Courts " of France, as we apprehend in a Judicial and not in a Legislative " Capacity."

Your Committee had reason to doubt the correctness of the above Statement, and instituted a long and patient enquiry into the proceedings had in France upon the occasion of the suppression of the late Order of the Jesuits, in relation to the Colleges and Seminaries belonging to the Order, and to the Lands wherewith they were endowed.

The inveteracy of the error to which the afore-mentioned Report of the Law Officers of the Crown within the Colony would appear to have first given birth, seemed to require on the part of your Committee more minute details, than, under different circumstances, and in a matter of less importance, they would have otherwise deemed necessary.

The commercial embarrassments of the Order, and the legal proceedings had in consequence in the Courts of France, on the part of their Creditors for the recovery of their debts, gave occasion to a judicial enquiry into the Constitution of the Order.

Father Lavallette, a Jesuit Priest, sent by his General in America, under the Title of Superintendant of the Missions to the Windward Islands, purchased upon the Conquest of several of those Islands by the British arms, large quantities of merchandize and considerable real estates from the French Inhabitants who were desirous to return to France, and who under the several Capitulations were permitted to do so, and to remove or dispose of their property within a certain assigned period.

He paid for these Goods in Bills of Exchange drawn upon his Correspondents in France, payable in two or three years, at such places in France as were most convenient to the respective venders of the goods or lands.

The Goods were shipped to these Correspondents by Father Lavalette under a Neutral Flag, and it was expected that they would furnish

ample Funds for the payment of the Bills in question, as they became due. But in consequence of these Goods being captured by British Cruisers and condemned, the correspondents of Father Lavallette were unable to honor his Bills, and there were protested Bills of Exchange drawn upon Messrs. Gouffre & Lioncy, Merchants of Marseilles, to an amount of nearly Two Millions of Francs, when those Gentlemen failed :—other Bills of Exchange drawn by Father Lavallette upon Mr. Ray, who succeeded the beforementioned Gentlemen in this correspondence, were likewise protested.

The Father de Sacy, resident at the *Maison Professe* of the Order at Paris, in his quality of General Attorney to the Windward Island Missions, was the immediate Superior of the Father Lavallette ; it was to him that the latter accounted, and in his turn he accounted to the *Provincial*, who accounted to the General of the Order.

Upon one of these Bills of Exchange for 30,000 Livres an Action was brought in the Consular Court at Paris, and Judgment given in favor of the Holder against the Order of Jesuits generally : The Court considering Father Lavallette as Agent or Factor for the Order in these transactions, and the whole Body liable for his Acts as his Principals.

This Judgment was of the 30th day of January 1760.

On the 8th May 1761, a Judgment was rendered in the Parliament of Paris :

Between Jean Lioncy, Trustee and Director of the Rights of the Creditors of the Brothers Lioncy and Gouffre, Merchants at Marseilles, and his partners, Plaintiffs, demanding Payment of Bills of Exchange drawn by Brother Lavallette, a Jesuit of the Mission of St. Pierre de la Martinique, Superior General of the Missions of the Windward Islands and Apostolic Prefect.

And the Body and Society of the Jesuits of France, Defendants :

And the Father General and in his Person the whole Society of the Jesuits, Defendants, and making default.

And between the Jesuits of the Province of France, and the Jesuits of the Provinces of Guyenne, Toulouse, Champagne, and Lyons, opposants to the Judgement of the Consulate of Marseilles of the 29th May 1760.

And the said Trustee of the Creditors of the Brothers Lioncy and Gouffre, Defendants, to the said opposition.

And moreover, between the said Brothers Lioncy and Gouffre, intervening, and Plaintiffs, in damages and Interests, and the said Father General, the said Society and the said Provinces of the Jesuits, Defendants, in the said Suit :

Whereby the Superior General, and in his Person the Body and association of Jesuits in France, were condemned to Pay One Million five hundred and two thousand and two hundred and Sixty-six Livres, two Sols, and two farthings, of Bills of Exchange drawn by the Brother Lavallette upon Lioncy, Brothers, and Gouffre, Merchants of Marseilles, and they were further condemned to pay fifty thousand Livres for damages and all costs and Expenses ; and the Brother Lavallette and all other

Jesuits were prohibited under the Penalties of the Law to intermeddle, directly or indirectly, with any Kind of Traffic which Ecclesiastical Persons were interdicted from using by the Canons of the Church admitted in the Kingdom of France, by the Ordinances of the King, or by the Decrees and Regulations of that Parliament.

This case was calculated to excite and did excite a high degree of interest, not only in France but in the whole of Europe. The Parliament was occupied nine days in hearing the Advocates of the Parties, of course the most eminent men of that day in their Profession. During the pendency of the Suit there was circulated in the Capital (as was usual in France in all causes of any importance whatever) Printed Mémoires Signed by the Advocates of the parties, in which the facts of the case and the Arguments in support of the pretentions of the Parties respectively, were fully stated.

On the 17th April 1761, whilst the Argument of this Cause was going on, one of the Gentlemen of the Chamber of *Enquêtes* of the Parliament, (all the Chambers being Assembled) addressed the Parliament, stating that two Printed Mémoires, one for the Jesuits, the other against them, on the occasion of a Cause the Argument whereon had commenced the previous Monday in the *Grande Chambre* of the Court, appeared to him to publish and discuss too openly the Constitutions of the Jesuits to admit of his not submitting to the Court some observations which those Mémoires rendered indispensable, and well worthy in every respect of the entire attention of the Court, observations, however, which in no wise touched the Cause nor the question before the *Grande Chambre.*

That on the one side the Mémoires for the Jesuits, whilst it seemed in a certain degree to confine the discussion upon the Constitutions of the Jesuits to what concerns the power of the General of this Order over the Property of the different Houses, nevertheless asserted that the Government, well known to the Parliament, of the other Religious Houses, differed in its form from the Government of the Jesuits which the Parliament had never been able to discover.

That on the other side the Printed Mémoire against the Jesuits contained assertions as to their Constitutions and Doctrines generally, which it was the duty of the Court to examine into.

After going through a long and minute examination of some of the Constitutions which he held to be most exceptionable, he concludes with submitting to the Parliament the following Motion.

" Would there not then be a necessity for examining the Institution " and Administration of the Jesuits according to their Constitutions, " of which I have merely given a slight notion ? This, Gentlemen, is " what I request you to take into consideration."

Upon this prayer the following Decree was pronounced by the Parliment on the 17th April 1761.

" The matter having been taken into consideration, it is ordered that " the Jesuits do within three days deposit in the Civil Office of the

" Court, a printed Copy of the Constitutions of the Society of Jesuits, " that is to say, of the Edition thereof made at Prague in 1757, and " cited in the printed paper, intituled, ' Memoir to be consulted, and " Consultation for the Jesuits of France, printed by L. Cellot, Dauphi- " né Street, 1761."

It was further ordered, " that on the Prayer of the King's Attorney " General, this Decree shall be this day served upon the Superiors of " the Three Houses of Jesuits in this City, in order that they may " be aware thereof and conform thereto, in order that the Law Officers " of the Crown may take communication of the said Constitutions, " deposited in the Civil Office of the Court, according to the Special " Decree entered in the Register of this date."

On the 21st of the same month of April, all the Chambers being assembled, the Chief President informed them that the Law Officers of the Crown were in attendance, to render to the Court an acconnt of what had been done in fulfilment of the above Decree of the 17th of the same month.

Whereupon the Law Officers of the Crown being introduced, Mr. Omer Joly de Fleury, the King's Advocate General, informed the Court that the King's Attorney General had on the same 17th April in the afternoon, caused the said Decree of that date to be served upon Joseph Frerard, Superior of the Novitiate, Brother Henri René Frelant, Superior of the House of the College, and Brother Claude Frey, Superior of the House of the Professed.

And that in consequence of the Service of the said Decree the Edition of the Statutes printed at Prague, and required by the Decree, had been deposited in the Office of the Court, on the following day, that they were two large Volumes in Quarto, which the Law Officers of the Crown then had in their possession, to the end that they might labour to put themselves in a condition to render to the Court an Account of the said Constitutions on Tuesday the 2d June following.

The Law Officers of the Crown, the Advocate General Mr. Omer Joly de Fleury, addressing the Court, made on the 3d. 4th 6th and 7th July 1761, their Report in Obedience to the before mentioned Decree of the 17th April 1761, and of an *Arrêté* of the Parliament of the 2d. June of the same year.

In this Report the subject is treated of under the following Heads.

1st.—A General and Summary Statement of the contents of the two Volumes of Constitutions.

2d.—A detail of the principal Articles of the Constitutions brought under the consideration of the Court in the proceedings had on the Seventeenth of April preceding, distributing them under their proper Titles.

3d.—Observations upon those Articles viewed with reference to the rights of the Crown and the interests of the People.

4th.—The previous Public Acts of the Parliament relating to the Jesuits, and their Institution.

5th.—The course which ought to be pursued by the Parliament in respect of those Constitutions of the Order.

Of the first of these Heads, nothing need here be said.

Of the second it is material here to refer to such part of these proceedings as relates to the Property held in France by the Jesuits.

The Advocate General gives the following " Extrait de l'Article *Examen Constitutionum*."

Extract from the Article *Examen Constitutionum*.

" The end which the Society proposes to itself is its own & its neighbours' sanctification. To attain this end three vows are made, that of Obedience, that of Poverty, and that of Charity. The vow of Poverty consists in this, that the Society cannot have any income for its own support or for any other purpose, which is to be understood not only of every Jesuit individually, but also of the Churches and Houses of the Professed Society *Domibus Societatis Professæ*. It is not permitted to receive any Fee or Alms for the Celebration of Mass, for Preaching, for Administering the Sacrament or any other Office of Religion which the Society can exercise according to its Institution. Although they have Colleges and Houses of Probation, which have Revenues for the support of Students, *Scolasticorum*, before they are admitted into the professed Society, or into the Houses thereof, Revenues of that kind cannot nevertheless be applied to other uses. And it is not permitted to the Houses of the Professed or any of them or the Coadjutors, to Profit thereby, " *Exam. Gen. Constit. Cap.* 1. *Vol.* 1. *P.* 340."

The Advocate General treats at great length of the Powers vested in the General of the Order, and shews it to have been as to the Persons of the Members of the Order, and as to the Property belonging to the Order, of the most absolute kind.

Yet it was limited as to the Colleges and Seminaries of Education of the Order.

The words of the Advocate General upon this subject are as follows.

" To the General belongs the whole power of making every kind of Contract of Purchase or Sale of the temporal property and of personal property of whatsoever nature, as well of the Houses as of the Colleges of the Society, of imposing and redeeming every kind of Rent, *quos libet census*, on the property, *bonis stabilibus*, of the Colleges for their use with the faculty of being exonerated from the charges on restoring the money which shall have been given *cum facultate onere liberandi restitutâ pecuniâ que datâ fuerit*. With respect to the alienation or extinction of the Colleges or Houses of the Society which are already established, he cannot proceed thereto without a general Congregation of the Society. The declaration on this chapter states that the General is by himself to exercise that power of contracting respecting the matters just mentioned, that in the most urgent cases he may exercise it by others, when the delay might become prejudicial or when he has deputed it, especially with respect to remote, places, as

India, to some one whom he trusts as he does himself, *cui tanquam sibi ipsi fideret.*"

And in another part of his Report speaking of the same subject he says:

" The Power of the General is indefinite, and no one has any authority but that which he imparts —He alone appoints to places, dismisses, continues, is sole, supreme administrator of all the property, they are administered, purchased, sold, contracts are enterred into respecting the personal property, rents on the real property of the Colleges are constituted or redeemed ; all that is done is in his name, and by virtue of his power alone ; he can sell, alienate, exchange the real property of the Houses or Colleges without any previous information, without giving thereto any judicial form.—His power indeed undergoes some restrictions respecting real property appropriated to certain Establishments, but with respect to personal and even real property given to the Society without appropriation ; he can dispose thereof fully as he pleases, " *idem generalis disponere poterit, aut vendendo, aut retinendo, aut huic vel illi loco id quod ei videbitur applicando prout ad majorem Dei Gloriam senserit expedire.*" Part IX. of the Constitutions Cap. 3, page 437, No. 6.— " Every Contract made without his express consent is null. His ratification of Acts is necessary, and he can annull those made by the Provincials. He can change the destination of the Legacies made to the Colleges or Houses, and apply them to other purposes without any restraint from the Will of the Testators. It is indeed said, by way of corrective, that he shall do so but seldom *nec nisi rarissime, et extra Europam in alienationibus permissis ;* but that, nevertheless, proves how far his will makes the Rule and the Law."

He concludes the second head of enquiry, by shewing that the Jesuits were by their own Constitutions prohibited from engaging in any trade or commerce whatsoever.

The number of their Colleges, at this period may be conjectured to have been very great, if we bear in mind what they were half a Century before the period in question.

In 1710, (says the Advocate General) according to Father Jouvenci, the Society had upon Earth Six Hundred and Twelve Colleges, Three Hundred and Forty Houses of Residence, Fifty-nine Noviciates, Two Hundred Missions, Eighty-four Houses of the Professed, in all thirty-seven Provinces, and Nineteen Thousand Nine Hundred and Ninety eight Jesuits.

It would be going out of the subject under consideration, to refer to any part of the observations of the Advocate General upon the above mentioned third and fourth heads of Enquiry.

Under the fifth head, the Advocate General recommended that there should be had between the King of France and the Pope, " friendly Conferences as practised by our Ancestors" the term used in the 75th and 76th Articles of the *Libertés de l'Eglise Gallicane,* with a view of reforming the Constitutions of the Order, in the various particulars pointed out by the Advocate General.

On the 8th July 1761, the conclusions of the Law Officers, to the foregoing effect, were read in the Parliament, all the Chambers being present, and the following Judgment on the same day pronounced.

" The Court, all the Chambers being present, upon the Report of the Law Officers of the Crown, made yesterday and the preceding days, in obedience to the Decrees of the seventeenth of April and second of June last, and upon the conclusions in writing by them taken, hath in consequence decreed that Commissioners shall be appointed, in order to examine as well the Constitutions of the Society called of Jesus, deposited in the Office of the Court on the 18th of April last, as the matter of the said Report ; also the most important facts respecting the Society which have occurred since its establishment, in order that such Examination and the Report thereon be taken into due consideration by the Court."

On the 2nd of August 1761, by a Declaration of the King of France, bearing date at Versailles on that day, it was ordered, that within six months the Superior of each of the Houses of the Order of the Jesuits, should be bound to deposit in the Office of the King's Privy Council the Titles of their various Establishments, and it it was added :—

" Moreover, we ordain, that during one year from the date of the Enrollment hereof, nothing shall be ordered, either definitively or provisionally, upon what may relate to the said Institutes, Constitutions and Establishments of the Houses of the said Society, unless we shall otherwise so ordain."

This Declaration was enregistered in the Parliament on the 6th of the same month ; the Parliament amongst other exceptions in the act of Inrolment making Collation.

" The said Court not intending to restrain itself from adjudging upon the legal state of the said body corporate, when and as to right shall appertain, after seeing the Letters Patent already obtained by the said Society, and the Enregistration thereof, and, nevertheless, conformably with the said Declaration, the said Court shall Surcease for and during one year from adjudging upon the said Institution, Constitutions and Establishment of the Houses of the said Society, by any Decrees, either definitive or provisional, other, nevertheless, than those in respect of which the Oath of the Court, its fidelity, its love for the sacred person of the said Lord the King, and its attention to the public tranquility, will not permit the Court to delay, according to the exigence of the Case, subject to the bringing in of the Titles relating to the said Society or its particular Houses established within the Jurisdiction of the Court, ordered, by the said Declaration being made at the Public Office of the deposit of the Court within the delay contained in the said Declaration of the said Title Deeds, such account to be rendered by the Court to the said Lord the King, as to right shall appertain. Even the said Title Deeds to be put into his possession, certified Copies thereof being first made, together with the Collation and Deposit in the Public Office of the said Court of the said certified Copies."

And the conclusion of the Act of Euregistration is as follows :—

"It shall also be most humbly represented to the said Lord the King, that his Parliament cannot but see with grief that the said Lord the King seems to announce to hisParliament, by a Declaration addressed to it, the establishment of an illegal deposit other than that of the Court for the delivering in of the said Instruments in writing, whereof the said Lord the King deems it necessary to be informed for the general good of his realm. At Paris, in Parliament, all the Chambers assembled, the 6th August 1761."

On the same 6th August 1761 the Parliament, after reciting the before mentioned proceedings by its Decree of that day, the Attorney General ;

Appellant, *comme d'abus*, from all Bulls, Briefs, Apostolic Letters respecting the Priests and Pupils of the Society styling itself of Jesus, Constitutions thereof, forms of Vows, Decrees of the Generals or of the General Congregations of the said Society, and generally from all other similar Regulations or Acts.

And in its conclusion, it is said, "It is permitted to the King's Attorney General to cause to be summoned the General and the Society of Persons styling themselves Jesuits, on the said Appeal *comme d'abus* ; whereupon the said parties shall be heard at the earliest day ; when the said Appeal shall be adjudged upon, there shall be laid before the Court all Edicts, Declarations and Letters Patent, duly verified, concerning the said Society, such adjudication and order upon the whole jointly to be made as to right shall appertain."

On the same day, by another sentence bearing more immediately upon the subject in hand, the Parliament with reference to the Report to them made of the doctrines of the Jesuits, maketh certain provisions in respect to the Colleges and Seminaries of Education of the Order.

These are of sufficient importance to require their insertion at full length.

"In like manner it is provisionally inhibited and forbidden unto the said Priests and others of the said Society, to continue any lessons, either public or private, of Theology, Philosophy, or of the Humanities, in the Schools, Colleges and Seminaries within the Jurisdiction of the Court, under penalty of seizure of their temporalities, and under such other penalty as to right and justice shall appertain ; and this from and after the first day of October next, as well with respect to the Houses of the said Society, which are situated at Paris, as to those which are situated in the other Towns within the Jurisdiction of the Court, having within their limits Schools or Colleges other than those of the said Society ; and from the first day of April next only, with respect to those which are situated in Towns within the Jurisdiction of the Court, where there are no other Schools or Colleges than those of the said Society, or in which those of the said Society shall be found to occupy any of the Faculties of the Arts or of Theology in the University there established, and ne-

vertheless, in case the said Priests, Scholars, or others of the said Society, shall claim to have obtained any Letters Patent duly verified in the Court, to the effect of performing the said scholastic functions, the Court permits the said Priests, Scholars, and others of the said Society, to produce them before the Court, all the Chambers assembled, within the delays above prescribed, such order, upon view of the same, and upon the conclusions of the King's Attorney General, to be made by the Court as to right shall appertain."

"The Court most expressly inhibits and forbids all subjects of the King from frequenting, after the expiration of the said delays, the Schools, Boarding Schools, Seminaries, Noviciates and Missions of the said persons styling themselves Jesuits, and enjoins all Students, Boarders, Seminarists and Novices to quit the Colleges, Boarding Houses, Seminaries and Noviciates of the said Society within the delays above fixed; and all Fathers, Mothers, Tutors, Curators or others having charge of the Education of the said Scholars, to withdraw them or to cause them to be withdrawn therefrom, and to concur, each in respect to himself, in carrying into effect this present Decree, as good and faithful subjects of the King, zealous for his preservation. The Court in like manner prohibits them from sending the said Children to any Colleges or Schools of the said Society, held without the limits of the Jurisdiction of the Court, or out of the Kingdom. The whole under penalty of being taken and considered as favourers of the said impious, sacrilegious and homicidal doctrine, assailing the authority and safety of the person of the King, and as such prosecuted according to the rigour of the *Ordonnances*. And as for the said Scholars, the Court declares all those who shall continue after the expiration of the said delays to frequent the said Schools, Boarding Houses, Colleges, Seminaries, Noviciates and Instructions of the said persons styling themselves Jesuits, in whatever place they may be, incapable of taking or receiving any degrees in the Universities, or any Civil or Municipal Offices, or of discharging any such public functions. The said Court reserving to itself to deliberate on Friday, the 8th day of January next, upon the precautions which it shall judge necessary to take upon the subject of the offenders, if any there be."

"And the said Court being desirous to provide sufficiently for the Education of Youth, orders that within three months for all delay, to be accounted from the date of the present Decree, the Mayors and Aldermen of the Towns within the Jurisdiction of the Court where there are no other Schools or Colleges than those of the said Society, or in which those of the said Society fill the faculties of the Arts or of Theology in the Universities therein established, as also the Officers of the *Baillages* and *Sénéchaussées*, together with the said Universities, shall be bound to send to the Attorney General of the King, each, separately, Memoires of what they esteem fitting upon this subject, that this done or default made to do the same, such order may be made, all the Chambers assembled, upon the conclusions of the Attorney General of the King the said day Friday the Eighth of January next, as to right shall appertain."

" Decreed that the Law Officers of the Crown do render an account in the Court, all the Chambers aſſembled, at the hour of ten in the forenoon, of the publication, poſting up, and printing of the two Decrees this day rendered by the Court, as well as of the ſervice of them at the houſes of the persons ſtyling themſelves Jeſuits, which are at Paris, and on Friday the 8th of January, of the execution of the remainder of the ſaid two Decrees."

" Ordered further, that the firſt Preſident be charged with carrying to the King a Copy, as well of the Statement made to the Court on the 17th April laſt, by one of the Counſellors therein, as of the account rendered by the Officers of the Crown the 3rd of July laſt and the following days, and of the ſecond Statement made to the Court on the 8th July laſt by one of the Counſellors therein; to the end that the ſaid Lord the King may be enabled himſelf to know the Inſtitutions, Conſtitutions, Doctrine and unvarying conduct of the ſaid Prieſts, Scholars, and others of the ſaid Society ſtyling themſelves of Jeſus, and the indiſpenſible neceſſity wherein his Parliament found itſelf to render the Decree of this day to preſerve the ſubjects of the King, and above all the Students, who are the hope and the renewal of the State, from the teaching of a doctrine as pernicious as execrable."

On the 29th Auguſt 1761, the Jeſuits obtained the King's Letters Patent referring to the above proceedings, and ordering all proceedings to be ſuſpended under the aforeſaid Decrees of the 6th of the ſaid month for one year.

Theſe Letters Patent were, at the prayer of the King's Attorney General, amongſt other exceptions, enregiſtered.

" Subject nevertheleſs to this :—that the reſpite contai nedin the ſaid Letters Patent ſhall take place only to the firſt of April next, upon which day the proviſional Decree of the Court of the ſixth Auguſt laſt ſhall be executed *ipso jure*, and alſo without that the neceſſary proceedings to enable the Court to render Judgment on the *Appel comme d'abus*, inſtituted by His Majeſty's Attorney General from the Bulls, Briefs, Conſtitutions, forms of Vows, and other regulations relating to the ſaid Society can be ſuspended, and in like manner without prejudice to the proviſional execution of the ſaid *Appel comme d'abus*."

" And alſo ſubject to this :—that the public or private Lectures on Theology, Philoſophy, or the Humanities, held and given by the Prieſts or Scholars, in all the towns or places within the Juriſdiction of the Court without diſtinction, cannot be proviſionally continued after the expiration of the ſaid reſpite, the whole under the pains contained in the proviſional Decree of the 6th

Auguſt laſt." The Parliament added to theſe Reſolutions the following Repreſentations :—

" And nevertheleſs the ſaid Court hath decreed, that the firſt Preſident waiting upon the perſon of the King this day, in purſuance of the Order of the Court, ſhall repreſent to the ſaid Lord the King, that his Parliament do conform itſelf to the intention, which the ſaid Lord the King hath to obtain further information, has reſpectfully submitted to the expreſs and reiterated Orders of His Majesty, by enregiſtering the said Letters Patent, it cannot diſſemble from the ſaid Lord the King how much it cost the ſentiments of the heart of the Magiſtrates who compoſe his Parliament, to give to the ſaid Lord the King this proof of its obedience; that it ſhall further be repreſented to the ſaid Lord the King by the firſt Preſident, that the Decrees which his Parliament rendered the ſixth of Auguſt laſt, bear upon objects which intereſt eſſentially the ſecurity of the perſons of Sovereigns, the tranquility of States, the principles of Morals, the Education ſo valuable to Youth, the good and honour of Religion ; that the ſaid Lord the King be therefore ſupplicated to be pleaſed to be aſſured how important it is for his Sacred perſon, for his Poſterity, for the entire State, that the zeal of his Parliament do not in future encounter any obſtacle upon matters of ſuch great conſequence."

" Ordered, that the ſaid Letters be printed, publiſhed & poſted up, and certified Copies thereof ſent to the *Baillages, Senechauſsées* and Univerſities of the Juriſdiction, to be there read, publiſhed and enregiſtered. The Court enjoins the Deputies of the King's Attorney General that they ſee to the execution hereof, and that they certify the Court thereof within one month."

The next proceedings of the Parliament were on the 16th day of February 1762, when after referring to the before mentioned declaration of the 2d Auguſt 1761, it orders as follows :

" The Court orders, that the perſons ſtyling themſelves Je-
" ſuits ſhall be bound to conform to what is preſcribed them by
" the King's declaration of the 2d Auguſt laſt, and the decree of
" enregiſtration thereof : and therefore that the Superiors of
" the Houſes of the ſaid perſons ſtyling themſelves Juſuits, ſhall
" be bound before the 22d day of March next, to make oath in
" perſon or by their Attorney even to produce and give in the
" accounts of their Houſes, which they have not hitherto produ-
" ced and given in. The Court orders that within the ſame time
" the ſaid persons ſtyling themſelves Jeſuits, ſhall be bound to de-
" poſit at the Office of the Court the Title Deeds of their eſtab-
" liſhments, or certified copies thereof ; and as to thoſe of the

" ſaid Title Deeds whereof the originals are not to be found in " any places of public depoſit, and are not in their poſſeſſion :

" The Court orders, that the ſaid perſons ſtyling themselves " Jesuits, do produce ſtatements containing the nature and qua- " lity of the ſaid Title Deeds, to the truth of which ſtatements " the ſaid Superiors ſhall make oath, to the end that the ſaid pa- " pers ſo depoſited, and affirmations on Oath, be communicated " to the King's Attorney General, and returned into Court on the " 23d day of the ſaid month of March, that ſuch order thereup- " on may be made by the Court as to right and Juſtice ſhall ap- " pertain.

" The Court orders further, that the present decree ſhall be " without delay at the inſtance of the King's Attorney General " ſerved upon the Superiors of the houſes of the ſaid perſons, ſo " ſtyling themselves Jeſuits, being within the Juriſdiction of the " Court."

On the 23d April 1762 the Parliament being in poſſeſſion of the Titles of the Eſtates of the order under the before-mentioned declaration of the King of France of the 2d Auguſt 1761, decided difinitively amongst others matters, upon the application to be made of the Eſtates with which the Colleges of the order were endowed, and permitting the creditors.

" To take their recourſe for the payment of the ſaid condem- " nation monies upon the property appertaining to the Society " of Jeſuits within the Kingdom, with the exception of thoſe " whereof the deſtination could not be changed by the Society, " and the Superior General thereof to the prejudice of the rights " of founders and donors and of their repreſentatives, or of the " towns and countries for whoſe utility the ſaid property had been " irrevocably affected.

This document is of too much importance to be omitted and will be found in the Appendix to this Report under the letter [C.]

In the definitive judgement pronounced by the Parliament upon the herein-before-mentioned appeal *comme d'abus* of the Attorney General, it is ordered in reſpect of the Colleges of the Order, as follows :

" Ordered, That the ascertaining of the property which ſhall " be liable to the Adminiſtration and the Maintenance of the " Schools and Colleges, and of the Towns where there were no " other Schools or Colleges than thoſe of the perſons styling " themſelves Jeſuits ſhall be proceeded to, to the effect of which " the Officers of the *Baillages*, *Senéchaussées* and the Municipal " Officers of the ſaid Towns, ſhall be bound to ſend to the Court " before the firſt of December next, Statements containing, in

" the first place ; a correct detail of the property and benefices " of the Ancient Endowment of the said Schools and Colleges " previous to the introduction of the said persons styling themsel- " ves Jesuits, as well as of all those which at the time of or since " their introduction may have been given, united, granted as " eleemosynary gifts, or in any way bequeathed unto the said per- " sons styled Jesuits, for the keeping and maintaining of the said " Schools or Colleges, Ecclesiastical Foundations and other objects " of a like nature. In the second place ; what they should esteem " expedient as to the manner to be adopted for the Government " and administration of the property which shall be appropriated " for the said Schols and Colleges. In the third place ; the man- " ner in which the said Schools and Colleges were erected and " formed, before or since the introduction of the persons sty ing " themselves Jesuits. To which Statements shall be joined ; the " Title Deeds in support thereof, to the end that the whole being " communicated to the King's Attorney General, and examined " by the said Commissioners, the Court may adjudge and deter- " mine what to right shall appertain, as well in case of sufficiency " as of insufficiency of the said property or otherwise.—And that " the Lord the King may be most humbly supplicated to cause to " be issued all Letters Patent thereunto necessary.

" And nevertheless the Court orders that the Municipal Offi- " cers of the said Towns shall take possession forthwith upon the " evacuation of the Houses and Establishments of the late Society, " of the Grounds and Buildings which served for the said Schools " and Colleges, as well as of the Furniture destined for the use " of the said Schools and Colleges, of which entry into posses- " sion there shall be drawn up a *Procès Verbal* by the Lieutenant " General of the Royal Court, or in case of absence or lawfull " impediment by one of the other Officers of the Court accor- " ding to Seniority in the presence of the Deputy of the King's " Attorney General, which *Procès Verbal* shall contain at the " same time a summary description of the said Furniture and of " the state of the said Grounds and Buildings."

" The whole nevertheless without prejudice to what relates to " the College Established in the Town of *Lafleche*, in respect " whereof the said Lord the King shall be most humbly supplica- " ted to make known to the Court his intentions in the accustomed " manner.

" Ordered, nevertheless, that possession shall be taken thereof by " the Officers of the *Senéchaussée de Laflèche*, in the name of " the said Lord the King. As also shall the said Lord the King be " most humbly supplicated to be pleased to order that all the re-

" venues generally heretofore granted by himſelf and his prede-
" ceſſors Kings, for the direction and maintenance of any of the
" ſaid Schools and Colleges ſhall continue to be employed to an
" uſe ſo advantageous for the good of the State.

" Ordered, That before determining upon the Grounds and
" Buildings, of the Houſes and Eſtabliſhments of the ſaid late So-
" ciety, other than thoſe of the Schools and Colleges of the
" Towns within the Juriſdiction where there were no other
" Schools and Colleges, but thoſe kept by the late Claſs of per-
" ſons ſtyling themſelves Jeſuits, the Royal Officers, the Muni-
" cipal Officers and the Univerſities eſtabliſhed in the places
" where the ſaid Buildings and Grounds are, and more particu-
" larly the Officers of the *Chatelêt* of Paris, and those of the
" *Sénéchauſſées* of Lyons, and of the *Baillage* of Rheims, as well
" as the Prevôt of the Merchants and Aldermen of the ſaid
" Towns of Paris, Lyons and the Municipal Officers of the Town
" of Rheims and the Univerſities of Paris and Rheims, ſhall ſend
" to the Court before the firſt of December next, at the latest,
" the Statements which they ſhall think proper upon the employ-
" ment which might be made of the ſaid Buildings and Grounds
" for ſome object of Public or Private utility, as well upon the
" manner of paying the Coſt thereof to be employed hereafter as
" ſhall be ordered, which Statements being communicated to the
" King's Attorney General, it ſhall be by him required and by
" the Court ordered what to right ſhall appertain, and the ſaid
" Lord the King ſhall be ſupplicated to cauſe to iſſue all Letters
" Patent to this end neceſſary.

" Ordered, that proceedings ſhall be had in the Court upon
" the Titles which are depoſited at the Public Offices, (Greffes)
" and upon the Statements which ſhall be delivered over to the
" Kings Attorney General by the parties intereſted for ſevering
" the Property belonging to the ſaid late Society, and forming the
" ſubject of Private Foundations, other nevertheleſs than that of
" the ſaid Schools and Colleges to be afterwards deliberated upon
" by the Court and provided for the acquittal of the ſaid founda-
" tions by whom and as to right ſhall appertain, and the said Lord
" the King in conſequence be most humbly ſupplicated to order
" that all Titles and Papers relating to the ſaid late Order of Je-
" ſuits, which have been placed before the ſaid Lord the King,
" ſhall by his order be Addreſſed to the Attorney General of the
" ſaid Lord the King, to be depoſited at the Office of the Court.

After directing the ſale of the moveables belonging to the Or-
der of the Jeſuits, this Judgement proceeds to ſay:

" There ſhall not however be comprized in the said ſale the

" furniture of the Schools and Colleges of the Towns, in which " there was only that of the late Class of persons ſtyling themſel- " ves Jesuits, in reſpect of which it has been above decreed and " adjudged by this preſent decree; nor any thing which is deemed " neceſſary by the Judges of the places to the uſe and maintenance " of the Property of the ſaid late Class of Perſons ſtyling them- " ſelves Jesuits, whereof a Statement ſhall be drawn up by the " Bailiffs charged with making the ſaid ſales; as also the Court " ſtays the ſale of the Plate and all books, linen, ornaments, ſacred " vaſes, chandeliers and generally of all other Church Ornaments " Decorations, as well as of all Libraries, until it ſhall have been " otherwiſe ordered by the Court, all the chambers aſſembled, and " to provide therefore—Ordered that the Commiſſioners of the " ſaid Court ſhall aſſemble on Thurſday next.

It would be too long to refer to the various decrees of the Parliament founded upon a principle which pervades them all, and which decrees are thus characterized in a ſubſequent decree of the 28th August 1762.

" Theſe decrees are founded upon a motive of equity which dic- " tates all the decrees of the Court; this motive is, that it is juſt " that the revenues of property deſtined for a College be employ- " ed for the benefit of that College, and that they be therefore ad- " miniſtered by ſequeſtrators moſt at hand to the officers charged " with determining, as well upon the alimentary annual allowan- " ces to be made to the perſons lately ſtyling themſelves Jeſuits, " as upon the Fees of the profeſſors who have filled the places of " the ſaid perſons lately ſtyling themſelves Jeſuits."

It would be foreign from the matter referred to your Committee, to report the various meaſures taken by the French Government concerning the manner in which theſe Revenues were to be applied to the purpoſes of Education.

It is ſufficient to have ſhown incontrovertibly, that the Colleges and Seminaries which belonged to the order of the Jeſuits in France, continued after the ſuppreſſion of that order to be uſed for the purpoſes of Education, and that the Lands and monies with which they had been endowed continued to ſerve for the maintenance of the ſaid Colleges and Seminaries.

The next object of your Committee was, to aſcertain what had been done in relation to the Jeſuits' Eſtates in Canada by His Majeſty's Government in England, or by the Provincial Authorities under orders from His Majeſty's Government in England.

Upon this ſubject your Committee have in the firſt inſtance to refer to an abſtract of Proceedings in Council, relative to the grant directed to be made of the Jeſuits' Eſtates in Canada to the

late Jeffery Lord Amherſt, with the dates of the ſeveral orders made by His Majeſty in Council in that behalf, and the Reports of the late Board of Trade and of His Majeſty's Law Officers for the time being.

It appears from it that, " on the 24th May 1770, His Majeſty " was pleaſed to refer to a Committee a Petition from Jeffery " Lord Amherſt to His Majeſty in Council, ſtating that His " Majeſty having been graciouſly pleaſed to ſignify his intention " of beſtowing a mark of His Royal favour in America on the " Petitioner, and praying a grant of the Eſtates belonging to " the Jeſuits in Canada."

" This Petition was referred by the Committee to the Board " of Trade, who made their Report thereon, dated 7th June " following, but offered no decided opinion upon the Petition " of Lord Amherst."

" On the 2d November 1770, the Lords of the Committee " made their Report to His Majeſty, and ſubmitted that His " Majeſty's Attorney and Solicitor General ſhould be directed to " prepare the draft of a proper Inſtrument to be paſſed under " the great ſeal, for granting to Lord Amherst the Eſtates be- " longing to the Jeſuits in Canada, reſerving to His Majeſty " for public uſes the Colleges and Chapels with their appurte- " nances, which belonged to the Society in Quebec, Montreal " and *Trois Rivierès*, the grantee engaging to make ſatisfaction " to ſuch of the then poſſeſſors as were in poſſeſſion at the time " of the Conqueſt."

" The Report was approved, and an order made containing " directions as above, to His Majeſty's Attorney and Solicitor " General, who by a Report dated 14th December 1770 ſubmit- " ted, that they could not proceed in preparing the Inſtrument " for want of an authentic account of the nature and deſcription " of the Eſtates intended to be granted by His Majeſty."

" On the 20th December 1770, another Petition was preſen- " ted by Lord Amherst, praying that His Majesty would renew " his order to the Attorney and Solicitor General, for prepar- " ing the draft of the Grant, and containing a particular account " of the Eſtates &c. with an affidavit annexed of General Mur- " ray (the then Governor of Quebec) to the ſame effect, which " Petition was referred to the Law Officers by His Majeſty's " order in Council, bearing date the 21st December 1770, and " in caſe the ſame contained an authentic account of the nature " and deſcription of the ſaid Eſtates, they were to prepare the " draft of the Grant &c. but it appears by the Report of His

" Majeſty's Law Officers in return to the ſaid order, that the ſaid " affidavit of General Murray, did not in their opinion ſet forth " an authentic account of the nature and deſcription of the Es- " tates intended to be granted."

" On the 8th March 1771, a further Petition was preſented " by Lord Amherst, ſtating, that he had lately received from " Canada a particular account and deſcription of the Eſtates be- " longing to the Jeſuits in that Province, certified by the Clerk " of Enrolments to be conformable to the Regiſter of the In- " tendant's Office, and thoſe of the Superior Council of Que- " bec &c. &c. which Petition and Papers annexed thereto, were " referred to His Majeſty's Law Officers, to conſider the ſame " with ſuch further accounts and proofs as ſhould be laid before " them, and to prepare the draft of an Inſtrument for making a " Grant to the Petitioner agreeably to His Majeſty's former " order."

The queſtion of the application to be made of the Eſtates and property of the late Order of the Jesuits appears to have been referred as early as 1765 to the Law Officers of the Crown, and in a Plan of a Code of Laws for the Province of Quebec reported by the Advocate General, " bearing date College of Advocates, " Doctors' Commons 1773" it is said, " In regard to the Title " of the Eſtates of the Jesuits, there is annexed to this Report " a sketch of a former one in deliberation, drawn up in a very " full manner by particular direction in the time of Mr. Gren- " ville's Adminiſtration, May 12th 1765; but upon a change " of Adminiſtration soon after, and of the other Law Officers " of your Majeſty to whom it was referred jointly with the Ad- " vocate General, no report was made in form."

The sketch referred to in this paragraph will be found in the Appendix to this Report under the Letter [D.]—It is material to obſerve that the above opinion appears to have been prepared without the Law Officers of the Crown having had the advantage of seeing the Title Deeds to the Eſtates in queſtion.

A further Petition was preſented by Lord Amherst, praying that His Majeſty would renew his former order to the Attorney and Solicitor General, for preparing the draft of grant, and would empower them to receive and admit such further evidence as should be laid before them for ascertaining the description, boundaries, and tenure of the said lands, and was referred to the Law Officers accordingly.

On the 6th July 1786 His Majeſty's then Attorney and Solicitor General made their Report to His Majeſty in return to the preceding order, and to the former orders of the same tenor

by which it appears that Lord Amherſt had forborne to lay before them ſome documents in his poſſessions for the better aſcertaining the nature &c. of the lands, by reason of the troubles which in 1779, and for ſome years afterwards, subſiſted in North America, and submitting that the additional evidence produced was ſtill insufficient to aſcertain various particulars necessary to be known, viz :

" The preſent Titles by which the Lands were poſſeſſed."

" The perſons by whom poſſessed."

" Their preſent value, and the nature of the tenures by which they were holden."

" The exact local situation, their extent and population, and " whether any and what claims are made by the heirs of the do- " nors of such part of the lands as were given to the religious or- " ders by private perſons."

" And the Report concludes by submitting, that the ſaid ſe- " veral particulars, and all other material circumſtances attending " the lands in queſtion, may be beſt aſcertained by an enquiry " inſtituted in the Province by Commiſſioners to be appointed " by His Majeſty's Governor, or by such proceedings in the " nature of an inquiſition as he should find moſt conſonant to the " Laws and Uſages of the Province to inſtitute for that purpoſe, " and that until theſe particulars should be fully aſcertained they " were still unable to prepare ſuch Grant to the Petitioner as would " be valid in Law."

" The Report from the Law Officers was referred by His " Majeſty to the consideration of the Lords of the Committee " of Privy Council for Trade and Foreign Plantations, who by " their Report to His Majeſty dated the 10th of the ſaid month, " submitted their opinion, that in consideration of the difficulties " and delay that had hitherto attended the carrying into effect " His Majeſty's gracious intention in favor of the petitioner, His " Majeſty might authorize and direct the Governor of the Pro- " vince of Quebec, to cauſe the ſeveral particulars ſtated by the " Attorney and Solicitor General in their above Report, and all " other circumſtances attending the lands in queſtion, to be as- " certained by Commiſſioners to be appointed &c. &c. &c. ; " AND that upon return thereof, the Governor should pass a " Grant under the Seal of the Province, to the Petition- " er, his heirs and assigns, of ſo much of the Eſtates belonging " to the Jeſuits in the ſaid Province, as might be legally granted ; " under ſuch tenures, and subject to all such payments and other " rights of Seigniory as might by Law belong to His Majeſty,

" and under the reſervations and conditions mentioned in His " Majeſty's former order of the 9th November 1770, and except- " ing thereout ſuch parts or parcels thereof, as His Majeſty's " Governor ſhould judge neceſſary to be reſerved for public uſes, " and ſuch grant to be ſubmitted to His Majeſty's further conſi- " deration."

" On the 18th Auguſt 1786 the foregoing Report of the " Lords of the Committee for Trade was approved by His Ma- " jeſty, and an order iſſued accordingly to the Governor of the " Province of Quebec."

In execution of the foregoing order a Commiſſion was iſſued by His Excellency Guy Lord Dorcheſter, bearing date the 7th day of January 1788, whereof a copy will be found in the Appendix to this Report under the Letter [E].

The proceedings had by the Commiſſioners named in the foregoing Commiſſion will be found in the Appendix under the before mentioned Letter [A.].

The opinion of the Law Officers of the Crown within the Colony already referred to, and bearing date the 18th May 1790, was required and given under the before-mentioned order of His Majeſty in his Privy Council, bearing date the 18th day of Auguſt 1786.

" In purſuance of this order a return was made by Lord Dor- " cheſter, the then Governor of Canada, of all the proceedings " which had taken place in that Province with reſpect to the " Survey of the Lands in queſtion, and his Lordſhip in his Let- " ter accompanying the same, aſſigned his reaſons why he had " not prepared a grant of the ſaid Lands in conformity thereto."

" At a later period a return was made by Governor Milne of " the actual value and Revenue of thoſe Eſtates, as made out by " the Commiſſioners for the management of the same. Gover- " nor Milne in his Letter transmitting the same, which bears " date 23d February 1801, obſerves, that the information moſt " to be depended on would certainly have been obtained by " means of a *Papier Terrier*, but his objections to that aroſe " from finding that it would not only have been attended with " conſiderable expenſe, but that it would have taken up much " more time."

" The Governor believes however that the valuation (as now " made) cannot be materially wrong, and ſtates the annual Re- " venue in 1801 according to the firſt Report dated the 13th " January, as amounting to £1245 5 4 excluſive of the pro- " perty ſituated within the Cities of Quebec and Montreal."

" The Letter refers to a second Report, dated the 6th Febru-

" ary 1801, and mentions that it is computed that the conceſſi-
" ons made since that time, have increaſed the annual Revenue
" to £1358 13 4."

" In the month of June 1791, the late Lord Amherſt present-
" ed another Petition renewing his prayer, that the Governor or
" Lieutenant Governor for the time being might be ordered to
" paſs without further delay the grant in question of all the ſaid
" Eſtates, which ſhould appear from the Reports of the Commis-
" ſioners appointed in purſuance of His Majeſty's order of the
" 18th August 1786, and by the Report of His Majeſty's Law
" Officers in the Province, his Majeſty might legally give and
" grant."

" This Petition was also referred to the Committee, but it does
" not appear to have been taken up during the life of the ſaid
" Lord Amherst."

After the aforeſaid Report orders were given to take poſſeſſion of the Eſtates belonging to the late order of the Jeſuits.

The proceedings had in consequence of theſe orders will be found in the Appendix to this Report under the Letter [F.]

Since that period the said Estates have been managed by Commiſſioners.—The Commiſſion will be found in the Appendix to this Report under the Letter [G.]

It is neceſſray now to revert to the claims set up by the Family of Lord Amherst to theſe Eſtates.

" On the 9th May 1798 the present Lord Amherst preſented
" his Petition to his Majeſty in Council, ſtating all the proceed-
" ings which had taken place, and particularly the order of the
" 18th August 1786, which directs the Governor to appoint Com-
" miſſioners, and inſtitute an enquiry in the Province for aſcer-
" taining the nature of the Lands, &c. and that the proceedings
" under the ſaid Commiſſion had been returned, together with a
" digeſt or analysis thereof, and the Report of the Law Officers
" in Canada ; and praying that the ſaid Law Officers in Canada
" might be directed to prepare a grant of all ſuch parts or portions
" of the Eſtates lately belonging to the Society of Jeſuits, as are
" particularly aſcertained by the ſaid Report, or that a grant
" might be prepared of ſuch parts of the ſaid Eſtates and the
" profits thereof, as his Majesty should think proper, and beſt cal-
" culated to effectuate His Majesty's bounty to the late Jeffery
" Lord Amherst."

" This Petition was referred to a Committee, who recom-
" mended to His Majeſty to make ſuch grant accordingly, un-
" der the ſpecial reſervation, proviſion and declaration that
" when the clear yearly profits of the ſaid Eſtates ſhall exceed

" £2400 Sterling, Lord Amherst ſhould account to His Majes-
" ty for the ſurplus profits, after being allowed ſuch ſums as he
" ſhould have expended in ſettling, cultivating and improving
" the ſaid Eſtates, and all other expenſes which Lord Amherst
" ſhould in any manner have been put to, in and about the ſaid
" Eſtates, which had not hitherto appeared to have yielded any
" Revenue or advantage to His Majeſty, and alſo to be allowed
" the charges attending the ſeveral orders and Commiſſions in
" Canada, and other proceedings to aſcertain the nature and
" deſcription of the ſaid Eſtates, and alſo ſuch further expenſes
" as might be incurred in paſſing and carrying the grant of the
" ſaid Lands into effect, and that His Majeſty's Attorney and
" Solicitor General, ſhould prepare a draft of ſuch grant, to be
" paſſed under the great ſeal of the Province, under the before-
" mentioned ſpecial reſervation, proviſion and declaration, res-
" pecting the ſurplus profits, and containing the reſervations
" ſpecified in the former orders: and further reſerving to His Ma-
" jeſty ſuch other parts and parcels of the Lands as His Majeſty's
" Governors had actually applied to the erection of Hoſpitals,
" Barracks and other public uſes; and on the 23d January 1799,
" this Report was approved, and an order iſſued to the Attorney
" and Solicitor General accordingly."

" In return to the above-mentioned order, His Majeſty's Law
" Officers made their report with the draft of a grant annexed,
" but ſubmitted that the Lands to be conveyed by the ſaid grant,
" lying within the Province of Lower-Canada, with the parti-
" cular circumſtances of which, and more eſpecially with the te-
" nures and proper deſcription thereof, not being perfectly in-
" formed, they could not conſider themſelves as being perfectly
" competent to frame an Inſtrument which might not be liable
" to objection, and therefore ſubmitted that the ſame ſhould be
" fully conſidered by the Law Officers in Canada; and there-
" upon the Lords of the Committee to whom the ſaid report
" and draft of Inſtrument had been referred, recommended,
" that His Majeſty ſhould approve of the draft, but that previ-
" ous to the ſame paſſing the ſeal of the Province, the Gover-
" nor ſhould be directed to conſult the Law Officers of the Pro-
" vince with reſpect to ſuch proviſions and alterations, as, upon
" due conſideration of the nature of the Tenures and proper
" deſcription of the Lands, might appear to them adviſeable to
" be added to or inſerted in the ſaid grant."

" It is preſumed that a return was made to this order by the
" Governor in the ſpring of 1801, for it appears by the Council
" Book, that, on the 14th of April 1801, a letter was written

" to the Attorney General, ſtating that ſeveral proceedings had " taken place in the Province upon the reference made to His " Majeſty's Law Officers there, of the draft of the grant prepar- " ed here and tranſmitted as above-mentioned, and that the " Law Officers in Canada had by their report to the Governor, " bearing date the 15th November 1799, ſtated certain objec- " tions to the validity of the ſaid Inſtrument, as then conſtruct- " ed according to the exiſting Laws of Canada, and the letter " went on to direct His Majeſty's Attorney and Solicitor Gene- " ral here to take into conſideration the draft of the original In- " ſtrument, and alſo the ſaid report of the Law Officers in Ca- " nada and report their opinion."

" First.—" Whether the ſaid alterations and amendments were " proper to be adopted ?"

" Secondly.—" In caſe they ſhould be of opinion that such " were proper, whether it would be neceſſary that a new draft of " an Inſtrument ſhould be prepared and ſubmitted to His Ma- " jeſty for approbation, or whether it would be ſufficient in caſe " His Majeſty's Attorney and Solicitor concurred in opinion with " the Law Officers in Canada, to direct the Governor to cause " the ſaid alterations and amendments to be inſerted in the Ins- " trument already prepared ?"

" In answer to this Letter His Majeſty's Law Officers made a " further Report to the Lords of the Committee, ſtating many " objections which occurred to them in respect to the proviſion " under which Lord Amherst was to hold the Lands, & be made " accountable for the ſurplus profits of the Eſtates beyond £2,400 " *per annum*."

" That it would render His Lordſhip a Public Accountant, " and expose him and his under-tenants to endless difficulties and " perplexities, and that it would operate as a bar to the full im- " provement of the Estates and conſequently to the Revenue to " be derived from the ſame to His Majeſty; inasmuch as the " Agents employed by Lord Amherst, could hardly be expected " to look further than the perception of the proportion of Rent " granted to Lord Amherst, for his own uſe."

On the 11th July 1803, His Majeſty was graciouſly pleaſed to ſend the following Meſſage to His Commons.

" His Majeſty acquaints the Houſe of Commons, that in conſi- " deration of the Eminent Services of the late Jeffrey Lord Am- " herst, during his Command in America, and particularly in the " reduction of the Province of Canada, His Majesty was induced, " subſequently to the War during which theſe ſervices were ren- " dered, to direct that a Grant ſhould be made to His Lordſhip, his

" heirs and ſucceſſors, of a certain tract of Land in that Province, " but in conſequence of difficulties ariſing from local circum- " ſtances, His Majeſty's intentions have not been carried into ef- " fect.—His Majeſty has ordered the proceedings relative to this " subject, to be laid before this House, and His Majeſty re- " lies with confidence on the juſtice and liberality of his faithful " Commons to make such compenſation to the repreſentatives of " the late Lord Amherst, as under the circumſtances of the caſe " ſhall appear to them to be adequate and proper."

There was paſſed in conſequence in the Parliament of the United Kingdom the Statute 43 Geo. III, Cap. 159, " for settling " and ſecuring a certain annuity on William Lord Amherſt, and " the representatives of the late Jeffery Lord Amherſt in consi- " deration of the eminent ſervices performed by him during his " command in America."

And with it closes the ſecond branch of the enquiry.

It is not poſſible to look at theſe Documents without feeling the utmoſt reſpect for the ſenſe of right and juſtice which dictated the above proceedings, and which has so eminently diſtinguiſhed at all times the Government of His Majeſty.

Your Committee next directed their enquiries to the aſcertaining, whether any, and what proceedings had been had within the Colony, for the obtaining of the Buildings and Revenues of the Eſtates to be applied to the purpoſes of Education.

They find that almoſt immediately after the Eſtabliſhment of the preſent Conſtitution, to wit, in the year 1793, a Petition ſigned by a great number of the Citizens and Inhabitants of the Town and County of Quebec was preſented to the Aſsembly, which will be found in the Journals Vol. 1, Page 352.

That after various proceedings had upon this Petition, an humble Addreſs and Petition of the Aſſembly of Lower-Canada to His Majeſty was reported, concurred in and voted by the Aſsembly, (Journals Vol. 1, Page 406) and it was reſolved on the 11th April 1793, that a Meſsage ſhould be ſent " to the Legiſlative Council " with a Copy of the Addreſs and Petition to His Majeſty, which " has paſsed this Houſe relative to the property poſseſsed by the " Jeſuits and the Education of Youth in this Province, requeſting " the Council to join in the same."

On the 17th April of the ſame year a Meſsage was ſent by the Legiſlative Council in anſwer to the above Reſolve of the Aſsembly, informing them " that the Legiſlative Council have resolved " to expreſs their deſires on the ſubject of promoting the means " of Education in a ſeparate Address."

In 1800, on the 12th March, a Motion was made in the Houſe

of Aſsembly, that the Houſe ſhould reſolve itſelf into a Committee, to conſider of the moſt proper means of obtaining information concerning the rights and pretenſions which this Province may have upon the College of Quebec and the Eſtates thereunto annexed.

And on the 13th day of the ſame month, an Addreſs was voted to His Excellency the Governor of the Province, praying he might order the proper Officers to transmit to the Houſe, Copies of certain Titles and Documents and Official Reports relative to the Eſtates heretofore poſſeſsed and claimed by the Religious Order of the Jesuits in this Province.

This Addreſs was preſented to the Governor of the Province on the 15th day of the ſame month, and he was pleaſed to make the following anſwer :—

" I think it neceſsary to inform you on the ſubject matter of " the preſent Addreſs, that the whole proceedings under the " Commiſſion iſsued on the 29th December 1787, including every " claim and pretenſion reſpecting the Eſtates of the late Order " of Jeſuits in this Province, together with the humble Addreſs " of the Houſe of Aſsembly voted on the 11th April 1793, had " been reſpectively ſubmitted to the King,—That His Majeſty " having been graciouſly pleaſed to refer the whole proceedings " to His Privy Council, the reſult of their Conſultations, with " His Majeſty's Order thereon, was transmitted to this Govern- " ment in the month of April laſt, and in conſequence of ſuch " Order, Commiſſions have iſsued to take the whole of the pro- " perty into the hands of the Crown."

" After reflecting on theſe circumſtances, ſhould the Houſe of " Aſsembly continue to deem it adviſeable to perſiſt in their pro- " poſed inveſtigation, I ſhall comply with their requeſt, to allow " them acceſs to thoſe papers which have already been made pub- " lic, and ſhall in that caſe give orders that all perſons duly au- " thoriſed by the Houſe of Aſsembly, be at liberty to take Copies " of all Titles, Documents, Reports, Papers and all Proceedings " under the Commiſsion mentioned, which were returned into " the Council Office on or before the 25th August 1790."

" But after the information I have now given, the Houſe of " Aſsembly will certainly deem it incumbent on them to conſider, " whether it is conſiſtent with that reſpect which they have hith- " erto uniformly manifested towards their Sovereign, to reiterate " any application on the subject."

This Answer from His Excellency the Governor in Chief was taken into conſideration by the Aſſembly, and on the 21st April

1800, an Address to His Majeſty, humbly ſupplicating His Majeſty to take into His Royal and Paternal conſideration the deplorable ſtate of the Education of Youth in this Province, was propoſed, but was not voted.—This Addreſs is to be found in the Journals of this Houſe, vol. 8, page 162.

No effectual proceedings on the ſubject took place from that period until the 13th May 1812, when a Meſſage was ſent by the Legislative Council informing the Aſſembly of their "deſire of having a conference with the Houſe of Aſſembly upon a matter of "importance to the future intereſts of the Province." The conference took place, and an Addreſs to His Royal Highneſs the Prince Regent was reported to the Aſſembly by the Managers on their part at the ſaid conference, "ſoliciting His Royal Highneſs' "attention to the state of Education in this Province, and to the "want of Public Inſtitutions for the Inſtruction of our Youth, "and to offer to His Royal Highneſs our humble prayer that His "Royal Highneſs will be pleaſed to take our neceſſities into His "Gracious and favorable conſideration, and to allow the already "accumulated and the future Rents and Revenues of the Eſtates "of the late Order of Jeſuits, ſituate in Lower-Canada, to be "appropriated to the relief of thoſe neceſſities."

This Addreſs will be found in the Journals of the Aſſembly, vol. 20, page 594.

The next and laſt proceeding on the ſubject in the Aſſembly was a Reſolve on the 15th March 1823, "That an humble Addreſs be preſented to His Excellency the Governor in Chief, "praying he might be pleaſed to communicate to this Houſe, ſuch "Inſtructions or Despatches which may have been given or transmitted from time to time by His Majeſty's Government, relating to the Jeſuits' Eſtates in this Province and to the application of the Revenue of the ſaid Eſtates in this Province."

His Excellency the Governor in Chief's Answer to this Addreſs was, "that having referred to former proceedings on this "ſubject which are to be found upon the Journals of the Houſe "of Aſſembly in the year 1800, I do not think that I can comply with the requeſt of this Addreſs without having obtained "ſpecial permiſſion ſo to do."

Your Committee convinced that theſe Inſtructions would afford to the People of this Province ſome new proofs of the wisdom and beneficence of His Majeſty's Government, are at a loss to comprehend upon what ground it has been deemed neceſſary by His Excellency the Governor in Chief to keep them ſecret.

Upon the whole matter your Committee is of opinion, that the proceedings heretofore had in this Houſe upon this ſubject

ought to be renewed, and in consequence an humble Address be presented to His Majesty, praying that he will be graciously pleased to cause to be applied to the Promotion of Education in this Province, the Buildings, Lands and Revenues, heretofore belonging to the late Order of the Jesuits.

All which is nevertheless humbly submitted.

L. LAGUEUX,
Chairman.

Quebec, 25th February 1824.

APPENDIX [A.]

ANSWERS of the SEMINARY of QUEBEC to the Questions of the Chairman of the Committee appointed to enquire into the present state of Education in this Province.

Q. What is the present state of Education in this Province?

A. If by Education is understood the knowledge, even elementary, of Letters, it must be admitted that it is reduced to but little, particularly in our country parts. There are unfortunately several Parishes where there would hardly be found five or six persons capable of expressing their thoughts tolerably in writing, and of performing the most common rules of arithmetic. From the knowledge we have, we should be inclined to think, that in our country parts, upon an average, about one fourth of the Canadian population can read tolerably; that there may be one tenth who can write their names, poorly enough in truth. In this humiliating enumeration, we comprise only the cultivators of the earth, and not persons of certain professions which require more extensive knowledge.

Although Education be but little advanced in this country, it would have been much less so, had it not been for the zeal of a good number of the gentlemen of the Clergy, who have made great exertions for the purpose of procuring Education for the children of their particular Parishes, by building School Houses and maintaining Masters. Their success would have fully corresponded with their generous exertions, if a law in force in this country had not prevented them from endowing those Schools, and thereby perpetuating the good which they commenced.

It will perhaps not be altogether foreign from the ſubject, to obſerve that the Law 41 Geo. III. has by no means contributed to improve the state of education in this Country: that Law in truth provides for the nomination and for the Salary of School Masters, but thoſe who from their poſition would be in a condition to judge of the merit of the perſons who ſolicit ſuch places, having no part in the nomination, nor any right of ſuperintendence, one may judge how theſe Schools are kept, particularly if the Masters who are put at the head of them are perſons whom the bad state of their affairs has compelled to take that ſituation, and who conſider it only as a last reſource to procure a little food for their family.

Q. What are the cauſes which may have retarded its progreſs?

A. Amongst the different cauſes which may have retarded the progreſs of Education in this Province, one may conſider the following as the principal:—

1st. The want of pecuniary means with a very large number of parents.

2nd. The difficulty of procuring School Masters of irreproachable morals.

3rd. Finally the want of good Elementary Schools in our country parts. The greater part of the Schoolmasters found there, particularly thoſe eſtabliſhed under the 41st Geo. III. are not of a kind to obtain the confidence of the country people, becauſe as we have already ſaid, the Gentlemen of the Clergy have no right to ſuperintend their conduct, and they are named without the participation of the principal Inhabitants of the place.

Q. What are the most proper means to diffuſe it?

A. In our humble opinion the most effectual means would be, to eſtabliſh in each Pariſh Elementary Schools, to be under the immediate direction and ſuperintendence of the Curate, Church Wardens and principal Members of each Congregation. The Curates having it then in their power to ſuperintend the Schools, and to know the morals, and religious and ſocial principles of the Masters put in charge of them, would induce their pariſhioners to ſend their children to School, and we are intimately perſuaded, that with time theſe Schools would end in being very well attended. To eſtabliſh theſe Schools in a fixed and permanent manner, it would be neceſsary for the Legiſlature to authorize the *Fabrique* of each Communion to acquire ſufficient funds for the maintainance of thoſe Schools. If ſuch a law were paſsed one would ſoon ſee riſing in all the Pariſhes permanent Schools, which hereafter would be endowed by the different Curates and by rich Individuals, who now make daily complaints that the obſtacles are not re-

moved which prevent them from doing the good which they desire to do in respect to the elementary education of children. With Schools thus founded and endowed, a respectable Salary might be provided for the Masters, whereof the choice would be by so much the more easy as the means of subsistence to be offered them would be greater.

Q. What is the number of Scholars in that part of the Seminary of Quebec, which is called "*Le Petit Seminaire*"?

A. There are about one hundred and sixty.

Q. Could a greater number be received into the said Seminary?

A. When the repairs of the *Petit Seminaire* now commenced are completed, there could be received therein about one hundred and fifty Boarders, and as many day Scholars at the least.

Q. Why do not a larger number of Scholars request admission to study in the Seminary of Quebec?

A. That a larger number of Scholars do not request admission to our Seminary may be attributed:

1st. To the want of Elementary Schools, where young people prepare for a course of studies, and where they usually acquire a taste for them.

2nd. To the want of pecuniary means. Although the charge for boarding and lodging is small, and the Scholars pay nothing for tuition—the Seminary itself paying the Professors—nevertheless, the number of parents whose means permit them to place their children at the Seminary is small. The charge for the boarding and lodging of the Scholars is twenty pounds currency for twelve months. If they are sick, or the Seminary does not take them to where the Vacations are usually passed, a proportionate deduction is made to the parents.

The day Scholars pay one pound currency for fuel, sweeping the school rooms and bringing in the wood. With these two last articles they were charged previous to the beginning of the repairs of the *Petit Seminaire*.

3rd. To the indifference, unfortunately too general, of parents; who not having themselves any idea of education, are little inclined to confer it upon their children.

Q. Is it not essential that before being capable of admission to the Seminary, it is necessary for the Scholars to have gone through a course of elementary instruction elsewhere?

A. Before a boy be admitted to commence his course of study in our Seminary, we require that he should be able to read Latin and French, and know how to write.

Q. Would you be pleased to state to us, what is the course of studies through which scholars are put in your Seminary?

A. Our courſe of ſtudies conſiſts in teaching the French, Latin and Engliſh Tongues, Geography, Mythology and Hiſtory; after theſe comes a course of Literature, Rhetoric and Philoſophy; this laſt conſiſts of Logic, Metaphyſics, Morals, Natural Philoſophy and Mathematics, in all their branches. Beſides this our young ſcholars, of late years, begin, in the lower claſses only, a ſyſtematic courſe of Arithmetic, which they continue during the following claſses.

Q. What aptitude for the sciences have you obſerved in the youth in general, including that portion of them which ſtudied with you?

A. We think that the Canadian Youth have as great an aptitude for the Sciences and the Fine Arts as is uſually met with in the Youth of other Nations, and we believe also that we may aſſert without fear of violating the truth, that the greater number of the Young men who have ſtudied in our Seminary have ſhewn ſufficient talents to ſucceed, and we are proud to be able to count amongst thoſe who exerciſe honorable Profeſſions, as well in the City as in the other parts of the Province, and who distinguiſh themselves therein, no ſmall number of Pupils of the Houſe, who eminently ſucceeded in thoſe courſes of ſtudy.

Q. What was the Original deſtination of your Houſe in respect of Education?

A. The Seminary of Quebec by its original deſtination, was bound only to prepare Young Eccleſiaſtics for Holy Orders by teaching them Theology. Beſides this, it kept a ſmall Boarding Houſe for Scholars, who attended the Claſſes of the Revd. Fathers the Jeſuits.

Q. What was the courſe of Studies followed at the College of the Revd. Fathers the Jeſuits?

A. We think that it was that of the College of *Louis le Grand.*

Q. Since when, and upon what occaſion, have young people been admitted to ſtudy in your Seminary?

A. It is ſince the Conquest, and upon the occaſion of the ſuppreſſion of the Revd. Fathers the Jeſuits, which occurred in 1764, that the Seminary of Quebec has charged itſelf with the Education of the Youth, who in conſequence of that suppreſſion were deprived of every means of receiving any Education.

Q. Can you say what is the number of Scholars who have received their Education in your Seminary before and ſince that period, and be pleaſed, if it is poſſible, to give us a table year by year?

A. It would be altogether impoſſible to ſay what is the number of Pupils who have received their Education with us. Very long

reſearches could at the utmost enable us to know the number of thoſe who have studied with us as Boarders :—But we think that the reſult of thoſe reſearches would not afford any thing ſatisfactory to the Committee which does us the honor of interrogating us.

For and in the name of the Gentlemen of the Seminary of Quebec.

(Signed) ANT. PARANT, Priest.

Sup. Sem. of Quebec.

Seminary of Quebec, 22d. Jany. 1824.

The Reverend Dr. MILLS appeared before the Committee, and was examined as follows.

Q. When were the Rules and Regulations now produced firſt eſtabliſhed ?

A. The Rules and Regulations (No. 1.) were eſtabliſhed in the year 1820, ſhortly after the erection of the Corporation. Thoſe (No. 2.) which are ſupplementary to the former, about a twelve-month ago.

Q. Can you furniſh the Committee with a List of Viſitors who have accepted in conſequence of the Circular annexed to the ſaid Rules and Regulations being Addreſſed to them.

A. The answer to this Queſtion will be found under the next Query, as, with one or two exceptions which it cannot be necessary to notice, the Viſitors who have accepted under the Circular addreſſed to them by the Royal Inſtitution are in fact the Viſitors now acting.

Q. Will you alſo furniſh the Committee with a List of the Viſitors who are now acting, and alſo a list of the Commiſſioners of the ſaid Schools appointed ſince the Eſtabliſhment of the Royal Inſtitution, alſo of the School Houſes actually conveyed to the Royal Inſtitution and thoſe not ſo conveyed ?

A. School Houſes conveyed to the Royal Inſtitution.

At Kamouraska, St. Armand, St. Anne la Pocatière, Stanbridge, Port Neuf, Cap Santé, St. Roch, Côteau-du-Lac, William Henry, Point Levy, Chatham, Seigniory of Argenteuil (four School Houſes) Durham, Stukely (two School Houſes) La Chine, Stanſtead (three School Houſes) St. Marie Nouvelle-Beauce, Eaton (three School Houſes) Melbourne, Terrebonne (two School

Houſes) Dorcheſter, Hatley (two School Houſes) St. Thomas and Maskinongé.

School Houſes not yet conveyed.

Quebec and Montreal nearly completed, Drummondville, ready for conveyance ſome time ago. New-Carliſle (Gaspé) and Frampton, School Houſes in progress. Three-Rivers, no School Houſe yet erected. Berthier School discontinued from November last, till the School Houſe be repaired and conveyed.

COMMISSIONERS Appointed ſince the Eſtabliſhment of the Royal Inſtitution.

Dorcheſter—Revd. W. D. Baldwin, W. Macrae, Eſquire, H. Monſey, Eſquire, and Mr. G. Eſſinhart.

Argenteuil—Revd. J. Abbott, H. Caldwell, Eſquire, and J. Mure, Eſquire.

New-Carliſle—(Gaspé) H. O'Hara, Eſquire, Js. Sherar, Eſquire, Amaſa Bebee, Eſquire, Robt. Sherar, Eſquire, J. Caldwell, Senr. Eſquire, and Revd. J. Suddard.

Lachine—Jno. Finlay, Esquire, Donald Duff, Eſquire, Capt. Pierre Roy dit La Penſée, and James Somerville, Junr. Eſquire.

Frampton—P. E. Desbarats, Js. Voyer and Edw. Pyke, Eſqrs.

Côteau du Lac—J. Simpſon, A. Grant and H. Evatt, Eſquires.

Berthier, Revd. J. C. Driscoll, Js. Cuthbert, Junr. Eſquire and Mr. Charles Morriſon.

Terrebonne—J. Oldham, M. Turgeon and C. Roy, Eſquires, and Meſſrs. A. Dumas and F. Coyteux.

Kamouraska—Chs. Taché, T. Cazault, and T. Horsman, Eſqrs.

William Henry—Revd. J. Jackſon, H. Brewſter, Eſquire, and Mr. A. Allen.

Melbourne—Meſſrs. B. Heath and Simpſon,

Drummondville—Revd. S. S. Wood.

St. Hilaire—Lieutenant Colonel J. B. René Hertel de Rouville, P. Byrne, Eſquire, and A. Dumont, Eſquire.

St. Joſeph—(District of Montreal) J. McNaughton, J. McDonald, J. McFarlane and A. McNaughton.

LIST OF VISITORS NOW ACTING.

Cap Santé—G. W. Allſopp, P. Moriſett, Chs. Garnaud, Frs. Rinfret dit Malouin and Jacques Marcot.

Kamouraska—Paſcal Taché, Chas. Taché, and Thos. Horſman.

St. Armand and Stanbridge—Rev d. J. Reid, Calvin May, and Geo. Mitchell.

Frampton—Edward Pyke, Eſquire, Mr. W. Fitzgerald, and Mr. J. Ross.

St. Thomas—L. Boucher, Eſquire,—Couillard, Eſquire, and —Boiſſeau, Junr. Esquire.

St. Roch—L. Beſſe, and Edward Maſſe, Eſquires.

Three-Rivers—Honble. T. Coffin, Honble. M. Bell, J. Badeaux, Eſqr. and R. Kimbert, Eſquire.

Point Levi—Revd. R. R. Burrage, Meſſire Maſſe, Captain Augtn. Labadie, J. Davidſon, Eſquire, and Mr. Richd. Lilliott,

Montreal—Honble. J. Richardſon, Revd. J. Bethune, Revd. B. B. Stevens, S. Gerrard, Eſquire, and F. W. Ermatinger, Eſquire.

Argenteuil—Revd. J. Abott, C. Muir, J. Marſhall Perkins, and J. S. Hutchins, Eſquires.

St. Marie Nouvelle-Beauce—Honble. Col. Taſchereau, C. Taschereau, Eſquire, and Mr. Lehouillier.

Chatham—Revd. J. Abott.

Terrebonne—(Engliſh School) Honble. R. McKenzie, Revd. J. E. Burton, and J. Oldham, Eſqr.

Do—(French School) Lieutenant Col. Michel Turgeon, Major Jos. Turgeon, J. O. Turgeon and François Coyteux.

New-Carliſle (Gaſpé)—Revd. R. Knagg, R. Sherar, Eſqr. Mr. W. Scott, and Mr. J. Caldwell, Senr.

Lachine—Revd. B. B. Stevens (Montreal) J. Finlay, Eſquire, D. Duff, Eſquire, J. Somerville, Eſqr. and Captain Venant Roy dit La Penſée.

Coteau du Lac—Captain French, H. Evatt, Eſquire, W. H. Cuſhing, Eſquire, and A. Nicholl, Eſquire.

Wm. Henry—Revd. J. Jackſon, and Mr. A. Allen.

Stanſtead—Revd. T. Johnſon, (Hatley) C. Kilborn, P. Hubbard, M. Childs, J. Smith, and S. Pomeroy.

Drummondville—Lieutenant Colonel Heriot, and Revd S. S. Wood.

Melbourne—Revd. S. S. Wood, B. Heath, J. Stimſon, J. B. Bromham, M. Perkins, and C. Clarke.

Dunham—Revd. C. C. Cotton, Jos. Baker, Eſqr. A. Brown, J. Coatesworth, S. Cook, G. W. Stone, and J. Gilbert.

Q. Can you inform the Committee what number of Scholars have attended the Schools under the direction of the Royal Inſtitution during the laſt year; the number of thoſe who are taught gratuitouſly in thoſe Schools, diſtinguiſhing Catholics and Protestants, and ſtating the places where the Schools are ſituated, and the names of the Maſters?

Masters' Names.	Place.	No. of Scholars		Remarks.
		Gratis.	That pay.	
Thomas Ansbrow,	Kamouraska,	17	17	
Jos. H. Ayer,	St. Armand,		75	
Thomas Russell,	Stanbridge,		68	
J. A. Phillipon,	St. Marie N. Beauce	26		
Charles Desroches,	Cap Santé,	10	38	
A. Vervais,	Terrebonne,	37	1	
J. Walker,		8	17	
T. Marsden,	Quebec,	179	23	
James M'Nish,	New Carlisle (Gaspé)	Average	50	
J. A. L'Heroult,	Pointe Levi,		27	
Antoine Coté,	St. Thomas,	30	22	
John Childs,	Frampton,	47		
D. T. Jones,	La Chine,	5	33	
Selby Burns,	Three-Rivers,	15	24	
Clement Cazeau,	St. Roch,	13	10	
William Irvine,	Coteau du Lac,		38	
W. G. Holmes,	Montreal,		150	
W. Nelson,	William Henry,	—	—	No report, resigned previous to the Christmas vacation.
J, Whitcher,	Stanstead,	Average	30	
William Power,	Drummondville,		16	
A. Woods,	Argenteuil,		No report	t, since resigned.
D. Thomas,	Melbourne,		40	
J. Dewar,	Chatham,			
W. Baker,	Dunham,			No report.
A. Wolff,	Berthier,	9	12	

The above is transcribed from the Schedule transmitted to His Excellency the Governor in Chief, founded on the Reports of the different visitors previous to the issue of the Schoolmaster's Warrants to the 1st. of November last—I have no means of distinguishing between the Protestants and Roman Catholics, but the Committee will probably be enabled to judge with sufficient accuracy from the places where the schools are situated.

Q. You will be able also to furnish the Committee with a list of the Members of the Royal Institution?

TRUSTEES OF THE ROYAL INSTITUTION.

The Lieutenant Governor of Upper-Canada, for the time being.

The Honorable Sir F. N. Burton, Lieutenant Governor of Lower-Canada.

The Lord Biſhop of Quebec (principal.)
The Chief Juſtice of Lower-Canada, for the time being.
The Chief Juſtice of Montreal, for the time being.
The Chief Juſtice of Upper-Canada, for the time being.
The Speaker of the Legiſlative Council of Lower-Canada.
The Speaker of the Houſe of Aſſembly of Lower-Canada.
The Revd. G. J. Mountain, D. D. Archdeacon of Quebec.
The Honble. John Richardſon.
The Honble. and Revd. J. Strachan, D. D.
The Honble. and Revd. Chs. Stuart, D. D.
The Honble. Chs. de St. Ours.
The Honble. John Caldwell.
The Honble. H. W. Ryland.
The Honble. L. de Salaberry.
The Honble. A. L. J. Ducheſnay.
J. Stewart, Eſquire.
J. T. Taſchereau, Eſquire, and
A. W. Cochran, Eſquire.

Q. From your experience and knowledge of the Country, can you furniſh the Committee with any information on the general ſtate of Education in the Province, the cauſes of its retardment, and the means of promoting it?

A. This queſtion divides itſelf into three heads. Firſt, as to the general ſtate of Education—ſecondly, as to the cauſes of its retardment—and thirdly, as to the means of promoting it.

1st. With regard to the general ſtate of Education in the Province, tho' no one, I imagine, will diſpute that it is at a very low ebb, yet I am of opinion that it has made conſiderable progreſs within theſe few years, and that it is ſtill in a regular courſe of advancement.—The Schools under the Royal Inſtitution are rapidly increaſing in the Townſhips, (freſh Deeds of conveyance from this quarter being weekly tranſmitted to the Board,) and, as far as this portion of the community are concerned, I certainly conſider the Act 41st Geo. III. Chap. 17, as fully effectual to all the purpoſes for which it was intended; and notwithſtanding the cauſes which have unfortunately operated to prevent its having its natural and proper effect in the Roman Catholic Pariſhes, yet applications are not wanting from theſe Pariſhes, under the higheſt and moſt reſpectable ſanction, for the eſtabliſhment of ſchools of Royal Foundation by virtue of the exiſting Law.

I have adverted to the cauſes which have impeded the operation of the Act 41st Geo. III. and this naturally leads.

2ndly.—To the conſideration of the circumſtances which have

retarded the general progreſs of Education in the Province. In ſtating my opinion upon this ſubject, I beg to aſſure the Committee, that I ſhould never have obtruded it *unasked*, and I believe this queſtion was not in the number of thoſe propoſed to me by the Committee when I appeared before them: As it is, I muſt expreſs my clear and decided conviction (and I truſt the conſcientious avowal of this conviction will not give—as it is not *intended* to give, offence) that a principal bar to the diffuſion of education, has been the oppoſition of the Roman Catholic Clergy to all the meaſures of the Royal Inſtitution.—This *opposition*, or, if the term be preferred—this *non-co-operation* (for the effect is preciſely the ſame) has been uniform and ſyſtematic, ſince the time that Monſeigneur, the Roman Catholic Biſhop, declined becoming a Member of the Board.—The name of one Solitary *curé* will be found on the liſt of viſitors—one or two others, in the firſt inſtance, readily entered upon the taſk aſſigned them, but they were ſoon made ſenſible of their error, and had to retrace their ſteps in the beſt way they could—of the few who thought proper to notice the circular addreſſed to them by the Board, the anſwers, without ſtating any *specific* ground of objection or complaint, were couched in *general* terms, that, under preſent circumſtances, they muſt decline taking any part in the ſuperintendence of the ſchools in queſtion—the obſervations, however, of one of the Roman Catholic Clergy—a gentleman of acknowledged talents, and I believe, a ſincere friend to Education are worthy of remark, and I ſhall give them in his own words—"*Je me ferai un plaisir, même un devoir d'agir en conformité au 2e. article des reglements, que vous avez eu la bonté de me transmettre à ce sujet, regrettant cordialement qu'il ne soit pas en mon pouvoir d'accepter la commission de visiteur avant que ces réglement soient fixés par une Loi, qui fait l'attente des ames sincerement libérales, et dont, j'en suis sur, le Bureau lui même sent toute la convenance*".

Theſe obſervations lead to the conſideration of the last branch of this queſtion, as to the best means of promoting Education in the Province. Before touching upon this point, however, I beg to refer the Committee to Documents [A. & B.] herewith transmitted without a ſingle comment, as they ſufficiently ſpeak for themſelves.

3rdly. With regard to the most eligible mode of promoting Education in this Country, I am very much at a loss what to ſay, or even think. It is at all times far less difficult to point out an exiſting evil, than to deviſe an adequate remedy. That Proteſtants and Roman Catholics of all ranks—Clergy as well as

Laity, ſhould cordially unite their efforts and their talents towards the accompliſhment of ſo deſirable an object, is a "conſummation devoutly to be wiſhed," but I fear it will be agreed on all hands, that it is hardly to be expected. What then is to be done? under the influence of prejudices, and ſuſpicions and jealouſies too deeply rooted, alas! to be eaſily eradicated. What ſteps are to be taken? The queſtion is difficult of ſolution, and it would require much time and ſerious reflection, and much greater experience and knowledge of the Country, than can poſſibly be poſſeſſed by a ſtranger, to give any thing like a ſatisfactory answer. The Eſtabliſhment of another Royal Inſtitution (compoſed altogether of Roman Catholics with Monſeigneur at their head) was ſpoken of ſome time ago, as a meaſure in contemplation; ſuch a a plan, I ſpeak with all diffidence, might perhaps answer as well as any other, which could be deviſed. It would, at all events, leave the *general* controul of Education where I conceive it always ſhould be, in the hands of the Government, while the *immediate* ſuperintendence would alſo be, where it ought to be, in the hands of the reſpective Clergy:—a ſentiment, in which, notwithſtanding all the new-fangled theories which are growing faſt into faſhion amongſt us, I feel aſſured that every conſcientious *Churchman*, whether Proteſtant or Roman Catholic, will most cordially concur.

It muſt be evident, however, at the firſt view, that even if this Plan were feaſible, it is liable to many and ſerious objections, amongſt the foremoſt of which, is its manifeſt tendency to ſeparate more widely and more laſtingly the Roman Catholic from the Proteſtant Members of the Community; a ſeparation, which cannot be too much deprecated by all, who feel, as *those ought* to feel, who are Heirs of the ſame *Heavenly hope*, and ſubjects of the ſame *earthly Monarch!*

(Signed) JOSEPH LANGLY MILLS, D. D.
Secretary to the Royal Inſtitution.

RULES AND REGULATIONS

For the SCHOOLS of ROYAL FOUNDATION in the Province of Lower-Canada, under the management of the Royal Inſtitution.

Firſt—An uniform ſyſtem to be purſued in theſe Schools, preſcribing, as far as poſſible, the Books to be uſed, according to a liſt to be made for the Schools belonging to each Church, by thoſe Truſtees of the Inſtitution, respectively, who are Members of that Church.

Secondly—The School to be under the immediate inspection of the Clergy of that Religion, which is profeſſed by the inhabitants of the spot—or, where the inhabitants are of a mixed description, the Clergy of each Church to have the ſuperintendence over the Children of their reſpective Communions.

Third—A regular superintendence of the Schools, by perſons to be nominated by the Corporation, (one of whom ſhall be the Clergyman of the Pariſh or Townſhip, as described in the preceding Rule,) who, or the major part of them, ſhall conſtitute a Committee, whoſe duty it ſhall be to report to the Corporation every Six months—one month before the time of the School-Maſter's Salary becoming due—the number and progress of the Scholars, the conduct of the Maſter and his compliance or non-compliance with the directions of the Inſtitution, together with any deficiency which may exiſt in the proviſions made for education upon the ſpot, or any irregularity in the mode of making or applying them. Theſe Viſitors ſhall alſo hold a formal Annual Examination of the School, the reſult of which Examination ſhall form part of the report regularly made to the Inſtitution ; and they ſhall have authority to fix the hours of attendance—the number and duration of the Vacations, and the ſeveral Holidays, which it may be proper to allow—to regulate the rates of Tuition, and to name the children to be admitted *gratis*, and thoſe whoſe parents are to pay : all this being ſubject to the approbation of the Board.

Fourth—The School-maſter to enforce a regular attendance on Public Worſhip, or where no Church is at hand, to read ſuch portion of the Church Service to the Children of Proteſtants, on Sundays, as may be judged expedient by the Inſtitution.

Books for the Proteſtant Schools.—Thoſe adopted by the "National Society for educating the poor, &c."

Books for the Roman Catholic Schools.—Inſtruction de la Jeuneuſſe, le Catéchisme, Nouvelle Méthode pour apprendre à bien lire et bien écrire, par J. Palairet.

SUPLEMENTARY RFGULATIONS for the Government of Schools under the management of the Royal Inſtitution.

PRICES.

No maſter conducting a School under the Royal Inſtitution, ſhall be allowed to decline taking one third of the number of Pupils as free Scholars, who ſhall be inſtructed in Reading, Writing and the lower branches of Arithmetic, if it ſhall appear that there is that proportion of children whoſe parents are not able to pay.

N. B. This is not to be underſtood to authoriſe the diſmiſſal of any actual Free Scholars from Schools eſtabliſhed, although they may bear a larger proportion to the whole than that ſpecified above.

No maſter ſhall in any caſe be allowed to charge at a higher rate than four livres (3s. 4d.) per month for education in the above mentioned branches; and it ſhall be within the diſcretion of the viſitors to vary the rate in the ſame School, according to the number of children attending who belong to the ſame Family, or according to the circumſtances of the Parents.—The viſitors ſhall alſo have the power of naming Scholars, who ſhall contribute nothing except their proportion of Fuel, as well as thoſe who ſhall contribute in no ſhape to the expenses of the School.

The maſter ſhall be at liberty to exact the monthly payments in advance.

The fuel conſumed in the ſchool-room itſelf ſhall be provided by the parents.

HOURS OF ATTENDANCE AND HOLIDAYS.

The hours of School attendance ſhall not be leſs than five hours in each day, and the interval between morning and afternoon ſchool, ſhall not be leſs than one hour. The viſitors ſhall have the diſcretion of extending the number of hours to ſix in the ſummer months.

There ſhall not be more than one whole Holiday in each week; and if there is a whole Holiday, there ſhall then be no half holiday, (ſaving and excepting the obſervation of Religious Feſtivals by children belonging to a Communion in which ſuch obſervance is received.)

The ſummer vacation ſhall not exceed one month, nor the Chriſtmas vacation one fortnight, and the time of commencing and cloſing each ſhall be fixed by the viſitors.

A task of writing, or an exerciſe of memory, ſhall be given to the children to be performed during the vacations.

LIST OR ROLL TO BE KEPT BY THE MASTER.

The maſter ſhall keep a regular Regiſter of the Scholars, wherein ſhall appear in the columns of a Schedule, the date of their admiſſion and diſcharge, the days of their attendance and of their abſence, and the time of their ſucceſſive continuance in each of the claſſes, into which the School may be formed.

[A]

MONSIEUR,

Vous pourrez faire ſavoir au Colonel Phillott, qu'il y a une place pour son fils : je vous prie de l'informer que ſon enfant ſera tenu d'obſerver toutes les règles du Séminaire comme tous ceux qui y ſont, excepter *qu'il ne ſera nullement gêné pour sa croyance dont il ne pourra pas cependant faire aucun acte public en se rendant aux Offices Divins que se font les quinze jours au manoir, par ce qu'alors cela gêneroit le règlement de la maison*, il est bon d'informer ce monſieur que la penſion est de £18 15 0 par an, à payer chaque quartier d'avance et dont les parents ont uſage de paſſer une obligation ſelon les règlements de la Corporation du Séminaire. La place qui est offerte vient d'être vacante par la maladie incurable d'un des enfans, qui ſont cette année a nombre juſte de ce que l'on peut prendre au Séminaire. La nouriture de cette maiſon est commune, mais je crois ſuffiſante pour les enfans qui en général ne s'en plaignent pas.

Je vous prie de me croire avec la plus haute

conſidération et eſtime,

Votre trés humble

et obeis. Serviteur.

(Signed) J. O. LEPROHON, Ptr.

Nicolet, 6 Novembre 1824.

QUEBEC, 8th November 1823.

DEAR SIR,

I received by this morning's Poſt your favour of the 6th inſtant, which I lost no time in conveying to Colonel Phillott. The prohibition, expreſſed in your letter, to his Son's being permited to attend the public exerciſe of his Religion on Sundays, is an objection inſurmountable.—But it is the only objection which has prevented the young gentleman being placed at the Seminary of Nicolet.

Pray believe me to be, with respect,

Your ſincere hble. Servt.

(Signed) T. TRIGGE.

Revd. Mr. LEPROHON, &c. &c.

[B]

St. Mary's, near Chambly, 17th October, 1823.

Honble. Sir,

Another great Bar has turned up to prevent schools being established in the Parish. In the month of June last, I was requested to commence an English and French School at the village of St. Mary's about nine miles from my own place. To this end Sir John Johnson subscribed and gave me a free House—This example was followed by Doctor Woods the Magistrate, Major Byrne, eight Captains of the Militia, and about sixty Canadians, who all subscribed to the amount of £35, to encourage the school. Although I had a Letter of recommendation from His Lordship the Bishop of Philadelphia to Mr. Lajuste the Parish Priest, he refused to subscribe, and when about thirty of the most respectable men in the Parish waited on him merely for his approbation, he told them in *wrath*, that he would have nothing to do with the school, by which means, and as these poor well-inclined but uneducated people attend to the example of their Parish Priest, rather than judge for themselves, they scattered as if by magic. Several of them told me that he heretofore refused administering sacrament to their children, and that he would do so, were they to send them to school.—Some of the people, who seemed very anxious for the school, now say, that they will not pay what they subscribed. The Priest has even gone so far as to make [gain] over one man, a subscriber of mine, who is going through the Parish, in order to prevent the people from sending their children to school. He also tells them if they learn English, they will afterwards go to the U. States. Is it not a heart-rending grievance to me, that, after losing nearly five months to accomplish my object here, my family may starve, owing to the prejudice of a Priest, whose desire it is to insist on the people remaining in absolute ignorance. Notwithstanding these unfavourable circumstances, I commenced three days ago, and I have only *two* pupils. In hopes that the Almighty God will exite you, and some others in power, to endeavour to make some arrangement to render myself, and others situated as I am, in some measure independent of all these difficulties.

I have the honor to be, &c. &c.

(Signed) H. HAGAN.

The Honble. Js. Cuthbert, Berthier.

We, the undernamed, certify that the facts stated in this letter are true,

and that the Priest has done all he could to prevent the school from being established.

(Signed) Wm. Woods, J. P.
(Signed) Thos. Lemay, N. P. Captn. Mil.

☞ Allowance must be made for Mr. Hagan's feelings if their be any expression in the above Letter calculated to give offence. The Committee will not fail to remark, that his statement is confirmed by two persons of undoubted respectability. Mr. Hagan himself is a Roman Catholic of highly respectable character, who is personally known to the Honble. J. Richardson, Lieut. Col. Evans, and other principal persons in Montreal, in whose families he has taught with entire satisfaction to his employers. J. L. MILLS.

Mr. J. F. Perrault, Prothonotary of the Court of King's Bench for the District of Quebec, appeared before your Committtee and was examined as follows:

Q. Can you inform the Committee what is the number of Schools established in this Province?

A. I have no Document upon which I can found an exact calculation of the number of Schools established either in the Towns or country parts of this Province. What I can state with certainty is, that in the country parts of the District of Quebec, a part of which I pass through attending the Circuit Courts as Prothonotary, the Schools are more rare than ever; the Royal Institution for Education having within the last year dismissed the greater part of the Masters therein who received Salaries from Government; moreover those Schools were badly provided with Masters, and little attended by the Children; the Masters being for the most part of doubtful character, and named by unknown persons, could not obtain the confidence of the inhabitants, and still less that of the Curates, who as the teachers of morals ought at the least to have the superintendence of establishments where moral and religious principles must be inculcated at the same time that children learn the first notions of an Elementary Education.

In truth, it is only in the Towns of the Province that a careful education can be had for children: thanks to the Seminaries of Quebec and Montreal, for males, and to the Religious Ladies of Quebec and Three-Rivers, and to the Sisters of the Congregation at Montreal, for girls. It is only lately that gratuitous Schools have been established at Quebec and Montreal, for the instruction of children whose parents are unable to pay for their instruction. Besides, those Schools cannot furnish to all the poor the instruction whereof they are in want, from the absence of pecuniary means to make the necessary buildings and pay the contingent expenses of the Schools.

One of the best means, in my opinion, to diffuse Education through the country, would be to establish central offices of Elemen-

tary Education for the present in the different Districts, who should be charged with the making establishments, as well in their respective country parts as towns, with an injunction to give to the Catholics the Rules, Books and Method adopted by them at Quebec, in the gratuituous School under the direction of the Society of Education. To the Protestants belonging to the English Church, the Rules, Books and Method adopted by the English Church; to the Presbyterians, the Rules, Books and Method adopted by them at Quebec; and in fine, to the children of different religions, the Rules, Books and Method adopted at Quebec, in the British and Canadian School, so as it is provided in the *projet*, which I was latterly charged with presenting to the Legislature of the Province, and as all this could not be executed without money, it would be necessary that the Legislature should provide therefor, either by asking that the Revenues of the Estates of the Order of the late Jesuits, specially appropriated to this object, should be applied to the same, or in some other manner. I think that three thousand pounds a year for each District would be necessary to begin with.

Q. What was the kind of education afforded by the Establishment of the Jesuits in Canada before the Conquest?

A. There was then given in the Towns an Elementary Education, and complete courses of sciences, as well sacred as prophane, were gone through. After the Conquest, down to the suppression of that Institution, they satisfied themselves with giving a gratuitous Elementary Education. Since that suppression, I have known no other gratuituous establishment but the Seminary at Quebec and the College at Montreal. The Seminary of Quebec was destined by its Institution for the instruction of those who desired to enter into Holy Orders, and until the suppression of the Order of the Jesuits they were the only persons who studied there. It is only since that period that the youth in general are received.

The Revd. DANIEL WILKIE, Clergyman of the Church of Scotland and Teacher in this City, answered as follows:

Q. From your experience as a Teacher and knowledge of the country, can you furnish the Committee with any information on the general state of Education in the Country, the causes of its retardment and the means of promoting it?

A. I have been a Teacher in this City for about twenty years; from the experience and knowledge I have had, I consider that the state of Education in this Country is considerably lower than it might be. I can assign no other cause of this, than the want of Parish Schools in the Country parts, and that of a University in the Province. The number of Scholars now attending my School is thirty. To be admitted in my School they must be first able to read English. The Sciences taught are, the English Grammar, the French, Latin and Greek Languages, Arithmetic and Mathematics:—the rate of Tuition is £12 a year.

About the fourth or fifth part of the Scholars are Canadian boys. As far as my experience goes, I have remarked the same aptitude in the youth of this country for learning as that of the youth in Europe, having been a Teacher during five years in Scotland.

Q. What would be the beneficial effects which you would anticipate from the establishment of a University in the Province?

A. It would take a long time to detail all the advantages which might be expected from the establishment of a University in the Province; but it may be said generally, that there would be a more general diffusion of knowledge, a much greater number of persons fit to instruct others, and a greater ambition to excel in learning. Such a University should necessarily be endowed with Public Funds, in order to support the Professors and Teachers in all the different Arts and Sciences, as also to procure Apparatus and Libraries, which could not be done by the efforts of Individuals.

Q. Had your School the advantage of any support from Government?

A. My School never enjoyed any advantage of this kind, beyond that protection in which all the subjects of Government equally share. On the death of the late Mr. Tanswell, in 1819, who enjoyed a Salary for teaching classical learning, I applied to His Grace the Duke of Richmond, then Governor in Chief, to be allowed that Salary, but was answered that it was already disposed of.

Q. What is the number of young gentlemen who have been educated at your School, and what are the branches of science in which they have been taught?

A. To the first part of this question I answer, that since my establishment in Quebec, about a hundred or a hundred and twenty young gentlemen have left my School to enter upon their respective professions. This may therefore be considered as the number of young gentlemen educated in my School. There is a much greater number of pupils who from change of residence, change of opinion, and various other causes have discontinued their attendance, and left their education unfinished. The branches of learning taught at my School are, the Latin, Greek and French Languages, Arithmetic and Mathematics. I have been obliged to engage in this extraordinary multiplicity of business, on account of the want of separate Institutions and separate Professors, where and by whom these various departments of education might be individually conducted. For the same reason I have been obliged to devote part of my time to the instruction of my pupils in various minor branches, such as Geography, History, English Grammar, and several other subjects in which Instruction cannot be had separately in this Country. The want of separate Professors for the different branches of knowledge, is one of the chief causes, in my humble opinion, which contribute to retard the progress of education in this Province. The want of Classes and Institutions for conducting the subsidiary branches of Education is also severely felt. When a Teacher has his attention divided among such a multiplicity of objects, it is impossible for him to treat of them in that inte-

resting and zealous manner, which is calculated to kindle and keep alive an ardent love of knowledge in the youthful breast. The present desultory mode of conducting education in this Country is extremely laborious to the Instructor, and far from being attended with proportionate advantages to the Learner. Another evil arising from the want of any publicly authorized course of education, is, that the degree of instruction deemed necessary for any of the liberal professions depends in every instance almost entirely on the ever varying foundation of private opinion. I say nothing here of the great disadvantages we suffer from the want of suitable apparatus for illustrating natural Philosophy, Chemistry and other Sciences depending upon experiment, and without which they cannot be understood

Q. Was there any, and what number of Schools in Quebec at the time of your establishing yourself there, wherein Mathematics and the Classics were taught, and what Schools of the same description now exist in Quebec?

A. Besides the Seminary, which is a permanent establishment, the Rev. Mr. Jackson taught a School of this nature at the time of my commencement. Mr. Farnham and the Rev. Mr. Spratt subsequently opened Schools of this description. At present, the most frequented School of this kind, is conducted by the Revd. Mr. Burrage.

The Revd. Mr. BURRAGE, Master of the Royal Grammar School established in Quebec, at present under the direction of the Royal Institution, answered as follows:

Q. What is the number of Scholars in your School, as well Catholics as Protestants?

A. The number of Scholars on the foundation is limited to twenty. The number of actual Scholars is about fifty, of which about eighteen are on the foundation. There have been two or three Catholics on the foundation. Of those not on the foundation there have been a few.

Q. Who appoints the Scholars on the foundation?

A. They are recommended by the Royal Institution, and the Governor appoints them.

Q. What is the rate of Tuition in your School:

A. Twelve pounds a year for Classics and Mathematics, and two pounds for Writing and Arithmetic.

Q. Can you furnish the Committee with a List of your actual Scholars?

A. Yes, I can furnish the Committee with a List of the whole.

Q. Do the Regulations of the Royal Institution for the government of Schools in respect to religion, apply to your School?

A. I am a Clergyman of the Church of England, and teach in my School the Catechism of that Church to the Children who belong to the Church of England—with respect to the Catholic Children, they are left to attend the Catechism of their own Church.

Quebec, 14th January 1824.

Sir,

In compliance with your request, I send you a List of the Scholars in the Royal Grammar School at Quebec, with a few observations that have occurred to me on the subject of Education in the Province.

Of the causes that have retarded Education in the Province, one of the principal I consider, to be either the inability or the unwillingness of parents in general, to bear the expenses necessarily connected with it. Trifling as they are in those Parishes, in which Free Schools are established, many find them too great for their very slender incomes, whilst others from their love of money and the little idea which they have of the value and importance of Education, do not choose to incur them. A poor man who resides at Pointe Levi called on me a few weeks ago, who told me he had received from the Parish School Master an account of 6s. 3d., for one month's Education of two Children. The Master had his complement of free Scholars. He said that he could not pay the money, and observed, that if his children could not be instructed *gratis*, they must go without instruction. This is the case with great numbers, I have no doubt, in the several Parishes, and how it is to be obviated it is perhaps difficult to tell. It cannot be expected that the Masters of the Schools, with the small Salaries which they receive, should educate gratuitously all that may be sent to them, yet it appears that if they do not educate a very considerable proportion in this way, many of the children must go without education. If the Government cannot afford to make the Masters' Salaries greater than they now are, the evil must continue until, from the gradual improvement and prosperity of the country, parents in general will be better able to do without such assistance.

Another cause of the slow progress of Education, is, that amongst those who are well able to bear the expenses of it, there exists not a proper idea of its value and importance. Hence they either do not send their children to School at all, or if they do, with little regard to regularity and punctuality in attendance. This I can speak from my own experience, is a matter of great moment, and seldom considered in its true light. The want of regular and punctual attendance must ever retard the progress of pupils in any School. The Master at Pointe Levi seldom has present more than half of his actual Scholars, nor is he able to enforce a more regular attendance. If the parents choose to be careless about the education of their children, who is to make them otherwise? Advice may be given, and no doubt has been given in numberless instances, but it must ever remain with them to follow or to neglect that advice—whilst on this head, I may observe, that if such be the indifference amongst parents about education, and their carelessness in sending children to School, it cannot be supposed that they have any very great idea of the necessity of private reading or study; but the latter is

almost as necessary as attending School. If private application in some degree be not added to the public instructions of the Master, the progress of Pupils will in spite of all his efforts be very slow. In England the necessity of this is known by all and acted upon; but from the system of indulgence that pervades all classes of society in this Country, it too often happens that Education is made only a secondary consideration; amusements of any kind are allowed to occupy many of those hours that ought to be devoted to study, and thus the pupils are prevented from receiving the full benefit which their Schools are calculated to impart.

Schools in the country, I should think, have been all along very imperfectly supplied with Books, if so, this must have operated very materially in retarding education. Masters who have little else than a small salary to depend on are unwilling, and parents are either unwilling or unable, to purchase the books that are necessary for their childrens' progress; hence they depend upon any books which they may by chance have or be able at little or no expense to procure. But that Education may go on well, and that the Scholars may make the best use of their time, it is above all things necessary that the same books should be used throughout the School, and that each boy should have his own supply. From a want of proper attention to this important point, the Master's labour is very often unprofitably increased, and the pupils progress greatly retarded.

It cannot be denied that before the Royal Institution was established, many persons who held Schools were incompetent to the task of Instruction. That body is now very particular in enquiring into the qualifications of Applicants, and appoints none but such as bring satisfactory testimonials both as to character and competency. This mode of proceeding must be attended with the happiest results to the country, and if Education should not make a quicker progress under the more favorable circumstances that now exist, the fault will be entirely chargeable upon the people themselves. The Royal Institution is, I believe, disposed to afford every facility, and such regard have they to circumstances that invariably where the population is either altogether or principally French, a French Master is appointed to the School.

What I have observed, I have meant chiefly to apply to Catholic Parishes, but there is one thing as regards them not yet noticed, which perhaps will outweigh every other consideration, as a cause of the slow progress of education in those parts of the country. I am aware that I and your Committee shall essentially differ in opinion on this point, but as I consider you will be pleased only as I conscientiously deliver my sentiments on the subject submitted to my consideration, I cannot overlook what in my estimation has so material an effect in producing the thing complained of; I allude to the little encouragement that is given to existing Schools by the Romish Priests in their respective Parishes; from whatever motive it may proceed, I cannot help considering this circumstance as the main actual impediment to Education amongst

the Catholic population, and whilst men who, from the influence which they possess over their respective flocks, have so much power to enforce the education of children, shall think proper to withold their countenance and support from the Schools that are established in their Parishes, the progress of education will unavoidably be slow, and the endeavors of the Royal Institution to promote it in those Parishes, at least will be comparatively ineffectual. Could the Catholic Clergy on the contrary, be prevailed upon to give their cordial encouragement and support to the Schools that exist among them, to take upon themselves the task of Visitors as requested by the Royal Institution, to enquire occasionally into the progress of the Scholars, and to excite those parents that are careless to a greater attention to the education of their children; I feel convinced that the face of things so far as regards Schools, would soon be changed, as force would then be given to the Resolutions of the Royal Institution, Education would necessarily advance, and the people become gradually more enlightened. I would observe further, as another very material cause in retarding education in Catholic Parishes, that the system hitherto pursued in their Schools is very defective. Something should be admitted besides learning the Catechism and singing a few Psalms. You will not, I trust, suppose that I wish to undervalue those exercises, but I wish to state that until a more liberal system shall be introduced, a system which by making the Scholars' reading more general, shall more fully expand the powers of the mind, the information acquired will be very limited, and the man's sphere of usefulness will be very much contracted. A system that would encourage the acquisition of general information, would serve the cause of education much more than the confined mode now in use in Catholic Schools, as it is only by free discussion on matters of general importance that the mind of man is materially enlightened and improved. On these two last heads, it is probable that you and I differ in opinion; I can only say that in what I have observed, I have given you my conscientious conviction and belief.

As regards Townships, I consider that education is going on in them as fast as the peculiar circumstances of the people will admit. In those places there are causes operating against it, which no legislative interference could wholly remove; it might help to obviate them a little, but in a great measure they must be left to remedy themselves. The poverty of the people, their distance from each other, the difficulty of communication from the bad state of the roads, must operate much against a regular attendance of their children at School. New Settlers are so very poor, that as soon as their children have any strength to be of service to them, they require their assistance towards their common support. In this situation of course they can spare but little for the education of their children, although the anxiety which the Eastern Township people express for education, and the sacrifices which they make to procure it for their children, are among the most marked characteristics of that population. Under these circumstances, the Legislature perhaps might extend them some relief, but of that it must be left to their wisdom alone

to decide, whilst these causes continue, and continue I fear they must for a great number of years, the progress of education will necessarily be slow in the Townships; as the people shall arise into comparative wealth, and by their industry and perseverance shall have in part overcome those obstacles, that now in frightful array oppose themselves to new Settlers, education will receive more of their attention, and as is the custom in Country Parishes in England, they will willingly spare something from their own gains for the improvement of their children. Such are some of the causes that retard education in new Settlements, very different in most respects from those that retard it in Catholic Parishes that have been long established. In those, the difficulties of first settlement have been long overcome; the parents for the most part are well able, if they were but willing to bear the trifling expenses connected with the education of their children; it must therefore be owing principally to the operation of other causes, to those which I have before mentioned, that amongst them education has progressed so slowly. As to the best means of promoting it, I know no better methods than those which have been adopted by the Royal Institution, if the Catholic Clergy could be prevailed upon cordially to co-operate with that Society. There is a general disinclination amongst those Gentlemen, to comply with the wishes of that Body. I have nothing to do with the motive from which it proceeds, but that it does exist is most certain, and so long as it shall, education will make little or no progress in their Parishes. This is the more to be lamented, because the Catholic Clergy living invariably on their Cures and possessing so much influence amongst their Congregations, have it so much in their power to enforce the Resolutions of the Royal Institution. In all concerns of any public moment much must be done by individual exertions, and if those individual exertions are withheld, the resolutions of any body of men must fall far short of their just and intended effect. If the Parishes were allowed to appoint their own Schoolmasters, it is more than probable that the Schools would not be so well supplied as they are at present. The mode of appointing Visitors in each Parish, to superintend the general concerns of the School, is a very excellent one, and if all the Gentlemen so appointed, could be prevailed upon to act as they are requested, complaints of the slow progress of education would gradually diminish, and the whole country, as well as the House of Assembly, would have reason to be satisfied with the exertions and proceedings of the Royal Institution. It has always appeared to me, that Schools are too thinly scattered; that they are not sufficiently numerous for the Country Parishes; allowing each Parish to be three leagues in length and several Concessions in depth, what is one School for such an extent of country? Did not the distance prevent many from attending Schools, the Master would be unable to do the duty required of him. It would therefore, I think, be an excellent mode of encouraging education, to establish at proper distances two Schools in a Parish, in which the population and the extent seem to demand them. It like-

wise appears to me that the Salaries which are allowed to Schoolmasters are too small to support them, particularly if they have families, with that decency and independence which ought always to belong to the situation. If people see Teachers in indigent circumstances, they are apt to undervalue education, seeing that it has not placed them in a situation better than their own; whereas to be so provided for as to be able to command respect from the Inhabitants, would be one great means of extending their utility.

School-houses ought to be provided by the Parishes or by Government in as central situations as possible.—The Masters with the small Salaries whith they receive cannot afford any very material deduction for House Rent.—It would I think be of great service to pay particular attention to this point.—As the want of proper and necessary Books has been found so material a cause in retarding Education, it would be well perhaps for the House of Assembly to consider whether they could not do something for the Country in this respect.—They might order the publication of several thousand Copies of Elementary Books which should be selected as proper for Country Schools, and the distribution of them where they are most wanted, would serve the cause of Education very much.—Directions could be given to the different Masters to distribute them very cautiously, to see that proper care is taken of them, to get, in what instances they can, the publication price of the book, and once a year to transmit the money to the Secretary of the Royal Institution. I am inclined to lay particular stress on this as a matter of great moment, because the last time I examined the Scholars of the Pointe Levi School, I saw only one book of Arithmetic and one for repetitions and lessons in reading. How ten twelve or more boys could advance in their Education with such a lamentable deficiency of School-books, I cannot conceive; and if this is the case so near Town, what must it be in distant Parishes? If Parents find so much difficulty in paying the money which the Master is allowed to exact, they would find still more difficulty in paying the Expenses of books. This they certainly do, and in this very important point, the Legislature, if it saw proper, could be of great service to the Country. I would advise that each Master, certainly for a Parish that is English or principally so, should be obliged before he goes to his destination to attend at the National School at Quebec so long as is necessary for him to gain a correct idea of the system of Education pursued there, and that he be directed to practise it so far as he is able in his own School. In all Charity Schools in England that system is used, and from its well known excellence it is not necessary here to say any thing in its praise. Sunday Schools are very excellent and useful and they might be established in all Parishes principally for the benefit and instruction of those children whose parents cannot spare them during the week. Masters of Schools in Parishes in which no Clergyman officiates, are directed by the Royal Institution to read every Sunday morning a prescribed portion of the Liturgy and a printed Sermon, a practice from which very considerable

benefit may be expected to result. Many other Rules have been drawn up at different times, as may be seen by a reference to their printed papers, the observance of which cannot but be attended with the happiest effects, both as to the Education and the morals of the people—indeed I feel myself incapable of proposing any improvement upon the measures that have been pursued by the Royal Institution, and in what I have observed I must confess I see little that can come under the cognizance of the House of Assembly. I have to lament that my constant occupation in the duties of my profession, and the little knowledge which I thereby have of the Country and its Establishments, make me but ill qualified to solve the questions which you were pleased to propose to me, if however any light has been thrown upon the real causes that have retarded what is of such essential service to the happiness and prosperity of any Country, I shall feel most happy in the reflection that you condescended to apply to me for my opinion.

I have the honor to be

Sir,

Your most obedient and humble Servant,

(Signed) R. R. BURRAGE.

To

L. LAGUEUX, Esquire,
Chairman of the Committee for Education.

A List of Scholars in the Royal Grammar School at Quebec. January 1824.

THOSE WHO PAY.

Mast. Henry Sewell,
James Sewell,
Montague Sewell,
George Durnford,
John Durnford,
Viney Durnford,
Richard Hale,
William Hale,
George Hale,
John Atkins,
George Harvey,
John Harvey,
Edwd. Montizambert,
Chs. Montizambert,
Geo. Montizambert,
Geo. Vanfelson,
Antoine Vanfelson,
Richd. East,
Henry Symes,
Wm. Darling,
Richd. Reid,
Chs. Smith,
Maurice Chaplin,
James Franklin,
John Satterthwaite,
Fredk. Snelling,
Winckworth Tremain,
Stott Wilson,
Henry Blackstone,
Henry Brehaut,
Geo. M'Donald,
Geo. Grassett.

ON THE FOUNDATION.

Wm. Marsden,
John Maxham,
William Aylwin,
Chs. Aylwin,
Edwd. Poston,
Richd. Henderson,
Geo. Dickinson,
Michl. Pearson,
Joseph Brent,
James Dick,
George Allsopp,
Jams. M'Donald,
John Von Exter,
John Birch,
George Coulson,
Alexander Finch,
Munro Ross,
— M'Namara,
— Grasett,
— Vanière.

Since the Establishment of the School in 1816, there have been 11 Catholics in it including four who are at present Pupils. The two Sons of Mr. Vanfelson, M'Namara and Vanière.

(Signed) R. R. BURRAGE.

19th January 1824.

Mr. JEAN BAPTISTE CORBIN, appeared before your Committee and gave the following information.

I have during eighteen years kept a Public School at Quebec—I had upon an average annually thirty-six Scholars of whom few were Protestants—I have ceased to keep School since 1816, perceiving that from want of means the Parents of the children who came to my School took them away generally after two years of tuition. I taught them to read and write and enough of arithmetic to enable them to transact their own business in life ; a small number however learned the principles of English and French Grammar.—I have remarked that the youth of this Country have a great aptitude for the sciences generally, but want of means rendered these happy capacities of no avail. The present state of Education in this Country is very far from what it ought to be, and I attribute this defect to the want of public institutions for Education. The Act of the 41st Geo. III. for the establishment of Schools of Royal Foundation, owes the smallness of its success solely to the want of confidence on the part of the Inhabitants of the Country in the Schoolmasters who have been given them, as the Inhabitants have neither the nomination of those masters nor the superintendence over their conduct and modes of instruction.

I have always understood by tradition that before the conquest of this Country there was no other public Institution for the Education of youth but that of the Jesuits. In their College at Quebec an elementary Education was given to the youth, and the sciences in general were also taught there. This lasted until the suppression of the order. During its existence there was received at the Seminary of Quebec only that portion of the youth which was destined for the Ecclesiastical state and those even completed their course of studies at the Jesuits College ; it is only since the suppression of the order that youth in general are admitted to the Seminary of Quebec, although the Seminary according to its institution was originally destined to teach Theology alone.

APPENDIX [B.]

EXTRACT of the Book B. intituled, "Proceedings of the Commissioners on the Jesuits' Estates."

QUEBEC, 19th November 1787.

At a meeting of the following Persons nominated as Commissioners for investigating the value &c. of the Jesuits' Estates in the Province of Quebec, held in consequence of an Order of Minute

of Council of 1st. November Inſtant directed to Mr. Chandler, to ascertain the charge and Expenſe that may attend the ſaid Inveſtigation.

PRESENT.

Kenelm Chandler,
Thomas Scott,
John Coffin, Senr.
George Lawe.*

We the above mentioned Perſons nominated Commiſſioners for the Jeſuits' Eſtates in this Province, having taken into conſideration the Minute of Council of 1st. November, requiring of Mr. Chandler an Eſtimate of the charge and Expense attending the ſaid buſiness. We deſire to repreſent to Mr. Chandler for the information of His Excellency the Governor and Council. That ſo far as we can judge the Inveſtigation of the said Eſtates of the Jeſuits will be attended with very conſiderable Expenſe, the amount of which at preſent we are unable to aſcertain and can only enumerate upon what heads it will ariſe.

viz :

Surveying the Lands &c.
A Clerk.
Travelling Expenſes.
Expenſes attending collecting Papers and examining Public Records
Law opinions—Postage and Publications.
An Office for meeting to tranſact the Buſiness, and its Contingencies.

And the ſaid nominated Commiſſioners repreſented, that for themſelves they expect to receive the ſame allowance as is uſually made to Commiſſioners appointed for dividing Crown Lands in England.

(Signed) K. Chandler, Jno. Coffin,
Thos. Scott, Geo. Lawe.

MONTREAL, 26th November 1787.

At a meeting of the following Perſons nominated as Commissioners for inveſtigating the extent, value &c. of the Jesuits' Es-

* Mr. Taschereau accepts, but is absent on his private affairs.
* Mr. Descheneaux has declined on account of his ill ſtate of health.

tates in the Province of Quebec, held in conſequence of an Order of Council of the firſt of November Inſtant directed to Mr. Chandler, to ascertain the Charge and Expenſe that may attend the ſaid Inveſtigation.

PRESENT.

James McGill,
J. B. M. H. de Rouville, Junr.
Quinſon De St. Ours.

We the above mentioned Perſons nominated Commiſſioners for the Jeſuits' Eſtates in this Province having taken into conſideration the Minute of Council of firſt of November, requiring of Mr. Chandler an Eſtimate of the Charge and Expenſe attending the ſaid Buſiness. We deſire to repreſent to Mr. Chandler for the information of His Excellency the Governor and Council, that ſo far as we can judge the inveſtigation of the ſaid Eſtates of the Jeſuits will be attended with very conſiderable Expenſe, the amount of which at preſent we are unable to ascertain, and can only enumerate upon what heads it will probably ariſe.—viz:

Surveying the Lands &c.
A Clerk.
Travelling Expenſes.
Expenſes attending collecting of Papers and examining Public Records.
Law Opinions.
Poſtage and Publications.
An Office for meeting and tranſacting the Buſiness, and its Contingencies.

And the ſaid nominated Commiſſioners repreſent that for themſelves they expect to receive the same allowance as it uſually made to Commiſſioners appointed for dividing Crown Lands in England.

(Signed) James McGill,
J. B. M. Hertel de Rouville,
Quinſon de St. Ours,

(True Copy.)

WEDNESDAY, QUEBEC 23d. Jany. 1788.

At a meeting of the Commiſſioners held at Mr. Chandler's for investigating the extent, value &c. of the Jeſuits' Eſtates, Order-

ed and appointed by Commiſſion from His Excellency Lord Dorcheſter, bearing date the 29th December 1787.

PRESENT.

Kenelm Chandler—Preſident.
Thomas Scott,
John Coffin,
Gabriel Elzeard Taschereau,
Jean Antoine Panet,
George Lawe, and
James McGill, Eſquires.

The Commiſſion being read and it being moved by Mr. Panet, that a Secretary be appointed: It is unanimouſly agreed that Henry Anthony Genet, be, and is hereby appointed, Secretary to the Commiſſion with the allowance of five ſhillings ſterling *per diem* commencing from this day.

Mr. Panet moved, that a ſeparate Book be kept for entering the Proceedings of the Commiſſioners.

It is the opinion of the Majority of the Members, that the Book marked B. intituled, "Proceedings of the Commiſſioners on the Jeſuits' Eſtates," already opened is ſufficient for as much as they are conſidered making part of the whole.

Ordered, That the Commiſſion be entered.

COPY OF THE SAID COMMISSION.

George The Third &c.

Indorſement.

Patent or Commiſſion of inveſtigation reſpecting the Jeſuits' Eſtates purſuant to the King's Order in Council of the eighteenth of Auguſt 1786 on Lord Amherſt's Petition.

Fiat

Recorded in the Office of Enrollments at Quebec, the 7th day of January 1788, in the Third Regiſter of Letters Patent and Commiſſions—Folio 186.

(Signed) GEO. POWNALL,
Secretary.

The Commiſſioners repreſented the neceſſity of being provided with an office, Mr. Chandler offered them a room in his houſe which was unanimouſly accepted.

Reſolved, That a certified copy of the commiſſion be ſent to the Commiſſioners at Montreal, viz: Quinſon de St. Ours, and Jean Hertel de Rouville, Eſquires, deſiring them to attend at the

Commiſſioners' office at Quebec as ſoon as it may be convenient, a copy whereof was given to Mr. McGill to forward.

Meſſieurs Panet and Taſchereau, moved to have certified copies of the Commiſſion which was agreed to.

Reſolved, That a letter be wrote to the ſuperior of the Jeſuits in the following tenor.

QUEBEC, 23d January 1788.

Reverend Fathers,

His Majeſty having been pleaſed by Letters Patent under the Great Seal of the Province, bearing date the twenty ninth of December laſt, to appoint us Commiſſioners for the purpoſe of reporting upon the Lands and Eſtates, held, poſſeſſed and claimed by the order of Jeſuits in this Province, conformable to the ſaid Letters Patent, which Meſſrs. Scott, Taſchereau, Panet and McGill will exhibit to you, we requeſt you will be pleaſed to communicate to the Commiſſioners the Titles of the ſaid Lands and Eſtates, to allow copies of them to be taken and give them any further information in your power, in order to our making a true and faithful report.

We are most reſpectfully

Reverend Fathers

Your most humble and most

Obedient Servants

(Signed,) K. Chandler,
T. Scott,
John Coffin,
G. Taſchereau,
J. A. Panet,
George Lawe,
James McGill.

To the Reverend Fathers, De Glapion, Superior, and other Jeſuits in the Province of Quebec.

Adjourned to Saturday the 26th January at 10 o'Clock A. M.

(Signed) K. Chandler, J. A. Panet,
Thos. Scott, Geo. Lawe,
John Coffin, James McGill,
G. Taſchereau, I

SATURDAY, Quebec 26th January 1788.

At a meeting of the Commiſſioners held at Mr. Chandler's agreeable to adjournment.

Present,

Kenelm Chandler, Esqr. President.
Thomas Scott,
John Coffin,
Gabriel E. Taschereau,
Jean A. Panet, and
George Lawe, Esquires.

It being proposed by Mr. Taschereau, that the Secretary should be sworn to a faithful discharge of his duty—unanimously agreed—and was sworn in accordingly before Thomas Scott, John Coffin, Gabriel E. Taschereau and George Lawe, Esquires, Commiſſioners of the Peace, and took the following oath :—

I, Henry Anthony Genet do swear that I will faithfully discharge my duty as Secretary to the Commiſſion for inveſtigating the Lands and Eſtates held and possessed by the Jesuits in the Province of Quebec, and that I will not give or suffer to be taken by others any copy or copies of the proceedings of the said commiſſioners without consent of the Board.

(Signed) H. A. Genet, Secy.

Sworn before us this 26th day of January 1788.

Signed Thos. Scott,
Jno, Coffin,
G. Taschereau,
Geo. Lawe. C. P.

Messieurs Scott, Taschereau and Panet, reported to the Board of Commissioners, that on the 23rd Inſtant, they with Mr. M'Gill delivered the foregoing letter translated into French at the Jesuits' College, and that the said Commiſſioners on the 24th waited on the Reverend Fathers the Jesuits at their College, that having exhibited the Commission to father De Glapion Superior, and father Casot, Procureur, received for answer thereto, that they will give their plans and Titles upon receipt being given by a Notary Public, choſen by the Commiſſioners for the return thereof, and will furniſh every other information in their power relative to the Commiſſion.

Mr. Panet moved that a Notary and Surveyor be choſen and employed to receive from the Jeſuits, on their receipts, the Titles and Plans which they have promiſed to Communicate and to take authentic Copies thereof, which Notary and Surveyor will be neceſſary for other operations relative to the Commiſſion, and that

agreement be made with them for their fees, previous to their being employed.

Unanimouſly agreed, and, that John Collins Eſquire, Deputy Surveyor General and Charles Voyer Eſquire, Notary, be ſent for and conſulted with, in order to carry the ſame into execution.

Mr. Collins attended the Board and repreſented that he could give no answer to what was propoſed to him relative to ſurveying the Lands and Eſtates 'till he had ſpoken to His Excellency Lord Dorcheſter.

Adjourned to Wednesday 30th Jany. 1788—10 o'Clock, A. M.

(Signed) K. Chandler G. Taschereau,
Thos. Scott, J. A. Panet,
Jno. Coffin, Geo. Lawe,

WEDNESDAY, QUEBEC, 30th January 1788.

At a Meeting of the Commiſſioners held at Mr. Chandler's agreeable to adjournment.

PRESENT :

Kenelm Chandler, Eſquire—Preſident.
Thomas Scott,
John Coffin,
Gabriel E. Taſchereau,
Jean Ant. Panet, and
George Lawe, Eſquires.

Mr. Charles Voyer, Notary Public, attended the Board, it was propoſed to employ him in his profeſſion in the buſineſs of the Commiſſion upon the following terms, he conſenting thereto.

First.—To attend as often as ſhall be required on the Jeſuits at their College, to ask and receive from them the original Titles, taking a liſt thereof, to give receipts obliging himſelf to return them at a fixed period therein preſcribed, to make authentic copies of thoſe Titles, certified in his Notarial capacity ; to return them and receive others, and ſo on, till the whole ſhall be completed ; to produce the originals with the copies to be verified by the Commiſſioners before they are returned to the Jeſuits.

Queſtion—At what rate ſhall the Notary be paid for thoſe copies which are to be correct and wrote ?

Four-pence currency for every hundred words, without exacting any other Fee or payment for any attendance or trouble, reſulting therefrom.

Second—To make a Rent Roll of the Eſtates of the ſaid Jeſuits, whether by Seigniory, Villeinage, Town or Country. The working hours during the winter ſhall commence from eight o'clock in the morning till five in the evening, allowing two hours for dinner ; and during the Summer from ſeven in the morning till ſeven in the evening except two hours allowed for dinner.—The ſaid Notary ſhall work under the direction of one or more of the Commiſſioners, excluſive of the hours preſcribed when the nature of the caſe may require any extraordinary work or diſpatch he ſhall be obliged to perform the ſame.

Queſtion—At what rate ſhall the Notary be paid *per diem* without exacting any other pay except for his diet, lodging and calesh hire, the Books for the Rent Rolls to be found him ?

Ten ſhillings currency *per diem*.

(Signed) CHS. VOYER,
Nre. Public.

Reſolved, That Mr. Taſchereau attended by Mr. Voyer, do apply at the Jeſuits College to-morrow morning to receive ſuch Titles as may be obtained, in order to begin the proſecution of the inveſtigation.

Adjourned to Saturday the 2d Feby 1788 at 10 o'clock, A. M.

(Signed) K. Chandler, G. Taſchereau,
Thos. Scott, J. A. Panet,
Jno. Coffin, Geo. Lawe,

SATURDAY, QUEBEC, 2d Feby. 1788.

At a meeting of the Commiſſioners held at Mr. Chandler's agreeable to adjournment.

Preſent,

Kenelm Chandler, Eſquire—Preſident.
Thomas Scott,
John Coffin,
Gabriel E. Taſchereau,
Jean A. Panet, and
George Lawe, Eſquires.

Mr. Taſchereau laid before the Board certain papers with a Book delivered to him by the Reverend Fathers the Jeſuits containing originals and copies of part of their Titles.

Resolved, That the Notary be directed to take copies of the original papers, and that the applications be made by Mr. Taſchereau to the public records, for all ſuch original grants, deeds, and other papers relative to the eſtates held and claimed by the Jeſuits in this Province.

Resolved, That a letter be wrote to Mr. McCarthy, Surveyor at St. Thomas, requeſting him to attend the Board as soon as convenient.

Adjourned to Wedneſday 6th Feby. 1788. A. M.

(Signed) K. Chandler, G. Taſchereau,
Thos. Scott, J. A. Panet,
Jno. Coffin, Geo. Lawe,

SATURDAY, QUEBEC, 9th Feby. 1788.

At a Meeting of the Commiſſioners held at Mr. Chandler's.

PRESENT.

Kenelm Chandler, Eſquire, Preſident,
Thomas Scott, John Coffin,
Gabriel E. Taſchereau, Jean A. Panet,
George Lawe, James McGill,
Quinſon De St. Ours and Jean H. De Rouville, Eſqrs.

The Board taking into consideration the neceſsity of one, two, or more Commiſſioners being constantly employed in examining the Titles which the Jeſuits may think proper to communicate, and alſo to procure from the Public Records ſuch Titles as they may not produce—And further to put thoſe Titles in proper order, as alſo to prepare inſtructive reports from thence in order to be from time to time laid before this Board—upon motion ;—

It is reſolved that two Commiſſioners be named for the above purpoſes, and in conſequence Gabriel Elzeard Taſchereau and Thomas Scott, Eſquires, are hereby nominated to carry the foregoing opinion into execution.

Resolved, alſo, that if the ſaid Gabriel Elzeard Taſchereau and Thomas Scott, Esquires, ſhould meet with any obstacles or inordinary difficulties in the courſe of their examination, they report the ſame to the President, that he may in consequence call a full Board—and that a copy of this minute be given them accordingly.

(Signed)

K. Chandler, Geo. Lawe,
Thos. Scott, James McGill,
Jno. Coffin, Quinſon De St. Ours,
G. Taſchereau, J. B. Hertel de Rouville,
J. A. Panet,

THURSDAY, QUEBEC, 14th Feby. 1788.

At a Meeting of the Commissioners held at Mr. Chandler's.

PRESENT,

Kenelm Chandler, Esqr. President,
Thomas Scott, John Coffin,
Gabriel E. Taschereau, Jean A. Panet,
George Law, James McGill,
James McGill, Quinson de St. Ours and
Jean Hertel de Rouville, Esquires.

Mr. McCarthy attended the Board in conformity to the minute of the 2d instant, when it was proposed to him that so long as he shall be employed in copying Plans and surveying in Town he shall be paid at the rate of thirteen shillings currency *per diem* including his maintenance, and when employed on Seigniories in the Country to be paid at the rate of ten shillings *per diem* besides diet, lodging and Calesh hire. Stationary to be provided for him.

It is agreed that Mr. McCarthy's time shall commence from the 10th instant inclusive the day which he left his own house to attend this Board.

Agreed to the foregoing propofals,

(Signed) J. McCARTHY.

Captain de Rouville and Monsieur de St. Ours, two of the Commissioners from Montreal, being desirous of returning and seeing that the general arrangements for collecting and arranging titles and other papers, as also plans of the different possessions of the Jesuits within the District of Quebec being made—Mr. McGill moves that Messrs. De Rouville and De St. Ours be instructed and empowered in the same manner as Messieurs Scott and Taschereau by minute of the 9th instant to proceed in the the District of Montreal—for which purpose, that the Secretary be ordered to furnish them with a Copy of said minute, also of imnute of this day touching a Surveyor with copy of this motion and resolve that may be made thereon.

The above motion passed in the affirmative.

The Board taking into consideration that two of the Members are on the eve of their departure for Montreal; that it is proper whilst all the Members are present to consider of the best means of measuring, and making up a Rent Roll of, the Estates and possessions of the Jesuits, which business will probably commence ear-

ly in the next month—It is the unanimous opinion of this Board that Meſsrs. Taſchereau, Scott and Lawe will be the proper perſons to carry on that operation in the Diſtrict of Quebec, and Meſſrs. McGill, De Rouville and De St. Ours in the Diſtrict of Montreal.

But as it may happen that one of the Members ſhall be abſent at times; It is further agreed that any two of the then named for the separate Diſtricts may proceed as if the three were preſent in their reſpective Diſtricts.

Mr. De St. Ours moved that a letter ſimilar to that ſent to the Jeſuits at Quebec on the 23d of January be wrote to Père Welle at Montreal, to furniſh the Titles and Plans belonging to the Jeſuit's Eſtates in that Diſtrict, and that the Letter be ſigned by the Preſident and Members of the Board.

Agreed, and the letter wrote accordingly.

(Signed) K. Chandler, Geo. Lawe,
Thos. Scott, Quinson De St. Ours,
Jno. Coffin, James McGill,
G. E. Taſchereau, J. B. Hertel De Rouville,
J. A. Panet,

MONDAY, Quebec, 17th March 1788.

At a meeting of the Commissioners held at Mr. Chandler's.

Present,

Kenelm Chandler, Eſquire, Preſident,
John Coffin, J. A. Panet,
George Lawe and G. E. Taſchereau, Eſquires.

Mr. Scott's indiſpoſition preventing his attendance at the Board, Mr Taſchereau laid before them, the report on the objects of enquiry committed to them, conſiſting of the ſeveral copies of the Plans, Titles, Deeds, &c. therein mentioned, in conſequence of a Reſolution bearing date the 9th February last.

The above report being delivered in French, ordered that the ſame be tranſlated by a Sworn Interpreter to be employed by the Preſident.

Motion by Mr. Taſchereau,

As it is the duty of the Commiſsion to aſcertain the value of the Eſtates lately belonging to the Jeſuits, and that the Commiſsioners ſhould take every means according to Law for this purpoſe, it will be proper that application ſhould be made to Lord Dorcheſter to iſſue a Proclamation enjoining the tenants and farm-

ers of the Fiefs and Seigniories in the foregoing Report, to exhibit their Titles and Papers before a Notary in presence of two of the Commissioners who may require them. The obligation of their rights, duties, charges, Seigniorial rents, for which they are accountable by the Tenure of their Lands towards the Manor of each of the above Seigniories, and ordering further to all Proprietors of Lands and real Estates owing ground rents, or rents due by Mortgage, to declare the same to the above Commissioners when required.

Resolved, upon motion, that Messrs. Chandler, Coffin and Panet do wait on His Lordship with a letter from the Board, requesting he will be pleased to issue a Proclamation to the above effect.

Adjourned 'till to-morrow at 4 o'Clock, P. M. to sign the letter to Lord Dorchester.

(Signed) K. Chandler,
Jno. Coffin, Geo. Lawe,
J. A. Panet, G. Taschereau,

TUESDAY, Quebec, 18th March 1788.

At a Meeting of the Commissioners held at Mr. Chandler's agreeable to adjournment.

Present,

Kenelm Chandler, Esquire—President.
John Coffin,
J. A. Panet,
Gabriel E. Taschereau, and
George Lawe, Esquires,

Mr. Panet laid on the table the sketch of a Proclamation and proposed to write the before mentioned letter, which he conceives to be a Provisional Report to his Lordship.

Resolved, That the same be postponed on account of His Lordship's indisposition.

(Signed) K. Chandler, Geo. Lawe,
Jno. Coffin, G. Taschereau,
J. A. Panet,

MONDAY, Quebec, 31st March 1788.

At a meeting of the Commissioners held at Mr. Chandler's.

Present,

Kenelm Chandler, Esquire—President.
Thomas Scott,
John Coffin, and
George Lawe, Esquires,

Mr. Chandler laid before the Board the following letter from the Commiſſioners at Montreal for their conſideration, and requeſted their opinion thereon.

MONTREAL, 26th March 1788.

SIR,—Finding the Reverend Father Welle, Jesuit, unwilling to give us the information which we conſider requiſite in order to the fulfilling the objects of the Commiſſion, in which with you and others we are appointed to act, relative to the Property of the Jeſuits in this Diſtrict, in compliance with the reſolution of the Commiſſioners of 9th February laſt: we conceive it proper to acquaint you thereof, and further to ſuggeſt to you the meaſures which to us appear neceſſary to be adopted. For this purpoſe it is proper we ſhould mention that the Reverend Father has thought proper to refuse every paper relative to the Jeſuits' Eſtates in this Diſtrict, except an authenticated copy of the original grant of the Seigniory of La Prairie, and a certificate from Mr. Braſſier—that the order appears by this to have purchaſed firſt two and a half arpents ſquare within the town in 1692, and afterwards one arpent ſquare, of the laſt of which they were put in poſſeſſion in 1708—neither of theſe papers throwing a ſufficient light on the ſubject intruſted to us, we conceive it might be proper to ſend a Notary to require of the Reverend Father communication of the Plan of the Seigniory as well as the Rent Roll, and alſo of the two contracts paſſed to them on acquiring the property within the Town before mentioned, and in default of compliance to proteſt—You will on this head be good enough to furniſh us with the opinion of the Board, and as we do not expect in any event that the father will comply, we muſt request that you procure and ſend us copy of the plan of the Seigniory of La Prairie, together with a liſt of the Inhabitants upon it, which the Father tells us was given to Government when fealty and Homage was rendered, by order of General Haldimand—When we ſhall be provided with theſe two papers it will then be in our power to proceed to the forming a Rent Roll of the Seigniory, nor can we previously proceed to that operation—With regard to the two purchaſes made in the Town, we expect to meet with the Original Deeds at the *Greffe* of the Diſtrict, amongſt the notarial papers, which from time to time have been depoſited there on the demiſe of Notaries, but ſhould we not be ſucceſsful in our reſearches, and that application muſt be made to holders of part of this Land as well as to the *Cenſitaries* of the Seigniory, on points which they may not think proper to anſwer, we ſubmit to you the

propriety of adviſing with Counſel whether any ſteps can be adopted to enforce compliance.

We have the honor to be,

Sir,

Your moſt obedient and humble ſervants,

JAMES M'GILL,
J. B. HERTEL DE ROUVILLE,
QUINSON DE ST. OURS.

Unanimously agreed, that Meſſrs. Chandler and Coffin do wait on the Chief Juſtice with the ſaid letter, requeſting his advice on the ſubject, and he having been pleaſed to comply therewith :—

Reſolved, That the following letter be wrote to the Commiſſioners at Montreal in anſwer to theirs of the 26th.

QUEBEC, 31st March 1788.

GENTLEMEN,

In consequence of your favor of the 26th addressed to Mr. Chandler, representing the obstructions you had met with in the prosecution of the Commission relative to the Jesuits' Estates in your District, we beg leave to acquaint you that Messrs. Chandler and Coffin waited on the Chief Justice, who has pleased to furnish them with his opinion, that a letter couched in the most polite terms, should be wrote by you to the Reverend Father Welle, expressing the communication you require, and sent by a Notary, allowing a proper time for his answer, which when obtained and forwarded to us, should any difficulty then appear, it will be represented to Lord Dorchester who will most probably take the necessary steps to remove it, or any other that may hereafter arise.

We have the honor to be,

Gentlemen,

Your most obedient and humbler Servants,

K. Chandler,
Thos. Scott,
John Coffin,
Geo. Lawe.

(Signed) K. Chandler,
Thos. Scott,
Jno. Coffin,
J. A. Panet,
Geo. Lawe.

WEDNESDAY, QUEBEC, 2nd April 1788.

At a Meeting of the Commissioners held at Mr. Chandler's.

PRESENT,

Kenelm Chandler, Esquire, President.
Thomas Scott,
John Coffin,
J. A. Panet, and
George Lawe, Esquires.

Mr. Chandler moved, that the objects of enquiry stated in the Commission be carried on without delay. The Board are of opinion that the business cannot be proceeded on any further till the Commissioners at Montreal have answered their Letter of the 31st March.

Mr. Panet moved that the provisional report proposed by him in the minute of the 18th ultimo be wrote to Lord Dorchester, it being necessary to proceed immediately to the Rent Rolls:—unanimously agreed to postpone the above till an answer is received from Montreal to the Board's letter of the 31st March.

(Signed) K. Chandler, J. A. Panet,
Thos. Scott, Geo. Lawe.
Jno. Coffin,

WEDNESDAY, QUEBEC, 16th April, 1788.

At a Meeting of the Commissioners held at Mr. Chandler's.

PRESENT.

Kenelm Chandler, Esquire, President. G. E. Taschereau,
Thos. Scott, J A. Panet,
John Coffin, Esquires. Geo. Lawe, Esqrs.

Mr. Chandler laid before the Board the English Translation of the Report given in by Messrs. Scott and Taschereau on the 17th ultimo. Read with some remarks thereon, for further explanation.

The Protest received from the Commissioners at Montreal ordered to lie on the Table for consideration.

Adjourned till to-morrow at 10 o'Clock, A. M.

(Signed) K. Chandler, G. Taschereau,
Thos. Scott, J. A. Panet,
John Coffin, Geo. Lawe.

THURSDAY, QUEBEC, 17th April, 1788.

At a Meeting of the Commissioners held at Mr. Chandler's agreable to adjournment.

PRESENT.

Kenelm Chandler, Esquire, President. G. E. Taschereau,
Thomas Scott, Jean A. Panet and
John Coffin, Esqrs. George Lawe, Esqrs.

The Protest from the Commissioners at Montreal being read and ordered to be entered, and also the Chief Justice's note, Mr. Panet renewed his motion of the 2nd April and offered the following motives for requesting a Proclamation.

MOTIVES.

The Commissioners for investigating the Estates possessed by the Monks called Jesuits, ground the necessity of a Proclamation in the King's name to call the subjects to a Rent Roll.

1st. On their Commission which enjoins them to proceed without delay in due form of Law.

2nd. On the Laws and Customs of Fiefs and immoveable properties in the Province of Quebec, established and supported by the Statutes of 14th Geo. III, chapter 83d and 88th, which grant those fiefs and properties only according to those Laws as they were in use before the Conquest.

3rd. According to those Laws and Customs, the King only has right to cause Letters Patent for Rent Rolls to be issued and published, *Vide Ferriere's* Dictionary or Introduction—*Verbo Papier Terrier.*

4th. Without a Proclamation equivalent to these Letters Patent the tenants will neither be held prepared nor exact in coming to declare and exhibit all their Titles, the result of which will be a great number of refusals, difficulties and delays.

5th. Since the Conquest, particularly in 1777, 1778 and 1779, &c. the Governors of this Country have published several Proclamations relative to Domainial Rent Rolls.

Finally, the Commissioners can explain any doubts, if any there be, relating to the necessity and the model of the proposed Proclamation.

CERTAIN COPIES from the Book B. entitled "Proceedings of the Commissioners on the Jesuits Estates.

QUEBEC, 18th April 1789.

At a Meeting of the Commissioners held this day at Mr. Taschereau's request.

PRESENT:—Kenelm Chandler, Esquire, President,
Thomas Scott, John Coffin,
Gabriel E. Taschereau, Jean A. Panet,
George Lawe, Esquires.

Messrs. Taschereau and Scott report that they with Mr. De St. Ours, on mature consideration, delay the making up the Accounts as proposed at the Meeting of the Board on the 25th March, to a future period.

Mr. Taschereau desires to be informed by Mr. Chandler, whether there has been any Meeting of the Commissioners since the 25th March last? And if so, whether there were any resolutions passed authorizing the Commissioners to proceed in virtue of the Commission.

In answer to Mr. Taschereau's Motion, Mr. Chandler observes, that at the last Meeting of the Commissioners on the 25th March last, and also of several other Meetings he pressed much that some vigorous measures should be taken, to put the business of the Commission in motion, which had so long languished, by an idea, kept up by Mr. Taschereau and Panet only, that nothing could be done by the Commissioners without a Proclamation, which he denied, as the Commission gave full authority to fulfil every thing required to be done, to enable the Commissioners to make a report to my Lord Dorchester, which he had reason to expect would soon be called for. He then proposed, that as Père Cazot had refused to give the Land Book, as it was reported by Messrs. Taschereau and Scott, which was much wanting, that some of the Commissioners should be sent to Three-Rivers, &c. to do the business, which then retarded and stopped him from getting forward with the Report which he had begun to make out, as Messrs. Taschereau and Panet declared they would go no further into the business of the Commission without the Proclamation, but observed that he might endeavour to get what information he could, as he knew his duty as well as either of these Gentlemen, also that it was the duty of each Commissioner to gain every information in his power either separately or collectively. He then determined to try if any of the Commissioners would join him in his endeavours to gain the necessary information required. He therefore the next morning waited on Mr. Lawe, and then on Mr. Coffin, who cheerfully engaged to assist him in the plan he proposed, and offered to do all in their power to fulfil the intention of the Commission without any further delay. They therefore the next day joined by Mr. Scott proceeded on the business in town, then went to Sylleri, Belair, and Three-Rivers, where they gained the information requested without any difficulty and with the greatest cheerfulness from the people, and he has the pleasure to say, that he expects to lay his Report before the Commissioners in a short time.

Mr. Taschereau requests a translation of the above, and Mr. Panet to have Communication thereof, to give their answer in writing.

Mr. Panet desires to be informed, if the three Gentlemen went separately or collectively in Town, to Sylleri, Belair and Three-Rivers, to gain the information obtained at each place.

To which Mr. Chandler answers, that four of them went in the Town, three to Sylleri and Belair, and one to Three-Rivers.

Adjourned.

QUEBEC, 23rd April 1789.

At a Meeting of the Commissioners held this day :—

Kenelm Chandler, Esquire, President,
Thomas Scott, John Coffin,
Gabriel E. Taschereau, Jean A. Panet, and
George Lawe, Esquires.

Messrs. Scott and Taschereau presented an addition to their Report, No. 3. Read and Ordered to be Translated into English.

Messrs. Taschereau and Panet's reply to Mr. Chandler's answer to Mr. Taschereau's Motion of the 18th April, read in the French language and ordered to be translated.

Whereas by the Commission granted by His Excellency Lord Dorchester to us, dated the 29th December 1787, to enquire into the Estates heretofore held and claimed by a certain Religious Community, known by the name of the Order of Jesuits, it is amongst other things directed, that we do enquire whether any and what claims are made by the heirs of the Donors of such parts of the Lands, as were given to the said Religious Order by private persons. Mr. Chandler therefore moves, that the said Commission or such part thereof as shall be thought necessary be immediately published, in compliance with the aforesaid direction, and that all persons having or pretending any claim, do within a reasonable limited time inform the Commissioners thereof, and give in to them the Titles on which they found such claim or pretension.

QUEBEC, 25th April 1789.

At a Meeting of the Commissioners held this day.

PRESENT,

Kenelm Chandler, Esquire, President,
Thomas Scott, John Coffin,
Gabriel E. Taschereau, Jean A. Panet,
George Lawe, Esquires.

The Translation ordered at the last Meeting being read, Mr. Chandler produced his observations to the replies of Messrs. Taschereau and Panet. Ordered to be translated.

Mr. Chandler laid before the Board a letter from Mr. Secretary Motz, of the 24th instant, communicating Lord Dorchester's Orders on the Report of the Committee of Council of the 22nd instant, that the Commissioners report to him thereon without delay.

The same letter and Report being read :—

Resolved, That a project of a General Report be drawn up by the Members in conformity to the Order above read, to be submitted to the whole Committee present, on Tuesday next at 5 o'clock P. M.

Agreed to.

QUEBEC, 2nd May 1789.

At a Meeting of the Commissioners held this day.

PRESENT,

Kenelm Chandler, Esquire, President,
Thomas Scott, John Coffin,
Gabriel E. Taschereau, Jean A. Panet, and
George Lawe, Esquires.

Mr. Panet produced to the Board a project of a second temporary Report and Advertisement in the French language, in conformity to the Resolution of the 25th ultimo.

Ordered, To be translated into English.

QUEBEC, 7th May 1789.

At a Meeting of the Commissioners held this day.

PRESENT,

Kenelm Chandler, Esquire, President,
Thomas Scott, John Coffin,
Gabriel E. Tashereau, Jean A. Panet, and
George Lawe, Esquires.

Mr. Chandler presented a project of a Report upon the enquiry of the Jesuits' Estates, in conformity to the Commission of the 29th December 1787. Read and ordered to be translated into the French language.

Read the Translation of Mr. Panet's second Temporary Report and Advertisement.

Adjourned till called upon by the President.

QUEBEC, 17th June 1789.

At a Meeting of the Commissioners held this day.

PRESENT,

Kenelm Chandler, Esquire, President,
Thomas Scott, John Coffin,
Gabriel E. Taschereau, Jean A. Panet,
George Lawe, Esquires.

The President called a Meeting of the Commissioners at the request of Messrs. Taschereau and Panet, by letter of yesterday's date.

Mr. Panet begs the President will inform the Board, if he is ready to proceed to the Report to be given in to His Excellency.

To which the President answered in the affirmative, and produced the project of the Report with the Schedule of the Jesuits' Estates, Titles, and Plans thereunto belonging, for the consideration of the Board.

Mr. Chandler requests to be informed by Mr. Panet if the above

was the purport for which this Board was called? Mr. Panet answers, "That it is one of the reasons."

Mr. Taschereau moves that the Commissioners at Montreal be immediately invited to meet the Board at Quebec next week to examine the Report proposed by Mr. Chandler which appears to be general and contains opinions on the merits of the whole investigation.

Messrs. Chandler, Scott, Coffin and Lawe object to Mr. Taschereau's motion as it now stands and propose that the Report, Schedule, Books and Papers that may be thought necessary for the information of the Commissioners at Montreal, be sent up for their inspection by Mr. Lawe, in order that the Report and Schedule may be signed by them, if they should meet with their approbation, or otherwise to state their objections in writing or by personal appearance at Quebec without loss of time.

Mr. Taschereau objects to the above opinion as occasioning further delay and expense, but observes that all the papers concerning the investigation should be sent to Montreal, and a day fixed for a general Meeting of the Commissioners.

The President requests the opinion of the Board, whether the Schedule and Titles, and the Report in its present state, should be signed and given in to His Excellency immediately or not?

Messrs. Chandler, Scott, Coffin and Lawe are of opinion that previous to giving in the Report to His Excellency, the whole proceedings should be signed and sent to the Commissioners at Montreal for their consideration, and signed, if approved, by them.

Messrs. Taschereau and Panet observe, that the Report and Schedule proposed this day by Mr. Chandler ought not to be signed, till they have been translated, and debated by a General Assembly, and the objections of the Commissioners at Montreal are known if any there be.

Messrs. Taschereau and Panet request to be called with the other Members of the Commission, on the return of Mr. Lawe with the answer from the Commissioners at Montreal.

Agreed.

QUEBEC, 29th June 1789.

At a meeting of the Commissioners this day.

PRESENT,

K. Chandler,
T. Scott,
J. Coffin,
G. E. Taschereau,
J. A. Panet,
G. Lawe,

The Secretary requested a meeting of the Commissioners to de-

termine whether he was justifiable from the nature and tenure of his Oath, in ſtopping Copies from being taken out of the Office of the Commiſſion made by Meſſrs. Taschereau and Panet, on Saturday afternoon, the 27th Inſtant, conſiſting of a Copy of the Report, dated the 17th June 1789, of the Board, Book B. from the 14th February 1788 to the 16th April 1788, and Notes from the Schedule of the Jeſuits' Eſtates. Mr. Chandler having ſent for him to enquire whether he could conſiſtently with his Oath ſuffer any Copies to be taken of the Papers belonging to the Commiſſion without the concurrence of the Board ;

Mr. Panet, requeſts Mr. Genet to inform the Board if he conſidered the 27 Pages, intitled general abſtract of the Titles of the Eſtates &c. which he copied, a full Copy of the Original, or Copy in part, and partly a Tranſlation.

Mr. Genet conſiders the above 27 Pages alluded to as Copy in part and partly a Tranſlation.

Meſſrs. Taschereau and Panet move, that all the above Papers referred to be returned to them.

Reſolved, That the Papers be returned to Meſſrs. Taschereau and Panet.

Mr. Taschereau moves, that Mr. Lawe report to this Board his proceedings at Montreal.

Mr. Lawe produced a Certified Copy of a Letter wrote by him to Meſſrs. McGill, De Rouville and De St. Ours, on Saturday 20th June, together with a List of the Papers taken by him to Montreal, and Mr. Chandler gave in a letter, addressed to him, from the Commissioners at Montreal dated the 20th June 1789.

Mr. Taschereau requeſts the Secretary will inform the Board, whether he ſent a Copy of the Reſolution of the 17th June inſtant to the Commiſſioners at Montreal with the other Papers taken by Mr. Lawe.

To which the Secretary answered he did not—Mr. Lawe one of the Commiſſioners having been ſent by the Board with the Papers, it was deemed ſufficient, as he was empowered by them to give them every information they might require.

The four days being expired which Meſſrs. Taschereau and Panet required to give their answer, whether they would ſign the Schedule, Report and Books, to be given in to Lord Dorcheſter in their preſent state, ſigned by Meſſrs. Chandler, Scott, Coffin and Lawe, which were ſent to Montreal ; the Board require to know if they will ſign the ſame.

Mr Taschereeu answers that he did not engage to answer in

four days, whether he would or would not ſign the Report and Schedule in queſtion.

Mr. Panet answers, that he ſaid verbally, as far as he underſtands by reading Engliſh writing he would endeavour in four days to examine all the Books and Papers, Report, Schedule &c. of the Commiſſion, to answer whether he would ſign them or file his reaſons to the contrary, but the major part of the ſaid Papers having been detained during thoſe four days by thoſe who had ſigned the ſaid Report, in the examination of them Meſſieurs Taschereau and Panet had not ſufficient time to determine whether they would sign, or to furniſh their observations to the contrary which they propoſed to lay in a few days before the Board, and before the Report and Papers be given in to Lord Dorcheſter.

That Meſsrs. Taschereau and Panet cannot in ſo ſhort time and for the above mentioned reaſons, ſign ſo many Papers of which, ſeveral, especially the Schedule, have not been tranſlated. And as the Commiſſioners at Montreal have not been made acquainted with the proceedings and Reſolutions of the 17th inſtant, (June) and as they might in a ſhort time have come to Quebec, Meſſrs. Taschereau and Panet move, that the ſaid Commiſſioners at Montreal be immediately and officially required to come to Quebec, to form a general meeting on Monday next, to determine upon the report to be given in to His Excellency without loss of time.

In conſequence of Mr. Lawe having been ſent to Montreal with the Papers to the Commiſſioners, it is not deemed neceſſary to ſend for thoſe Gentlemen to attend the Commiſſioners at Quebec.

Reſolved, That the Report be given in to Lord Dorcheſter, to-morrow morning at eleven o'Clock by Meſſieurs Chandler, Coffin and Lawe.

Meſſieurs Taschereau and Panet move, that they be allowed by a reſolution of the Board, that a Petition which they propoſe to lay on the Table Tomorrow morning at nine o'Clock before the Board, addreſſed to Lord Dorcheſter, be annexed to the report to be given in to His Excellency, and that Meſſieurs Taschereau and Panet, be admitted to aſſiſt the Commiſſioners in giving in the Report and their Petition.

Rejected.

MONTREAL, 20th June 1789.

Sir,

Laſt night Captain Lawe arrived here with the report and other Papers relative to the Buſineſs of the Jeſuits' Eſtates, and

this afternoon we assembled for the purpose of taking them into consideration.—On looking into the Report and other documents which are to accompany, we find them of such extent as would require much longer time than is allowed us to consider of them maturely, for by a letter which Captain Lawe has addressed us, we observe that he cannot postpone his return later than Monday, & must carry all the Papers back with him. This being the case and notwithstanding we have confidence in those Commissioners who have signed the Report, we trust you will excuse us from giving our sanction to a business, of which from the small share we have had in compiling, and the impracticability of now perusing it, we cannot form a Judgment from any knowledge of our own. But although we do not concur in signing the Report, we esteem it proper whilst the Commission continues, to communicate to you an idea which arose from conversing with Captain Lawe—As the Commission directs enquiry to be made "whether any or what claims are "made by the Heirs of the Donors"—It seems to us that it would have been proper by an Advertisement to call upon the Public for any dormant claims there may be on the Jesuits' Estates; or since that has not been done, we submit to the consideration of the Commissioners, "whether it ought not to be respectfully suggested to His Excellency Lord Dorchester"?

We are sensible of the Politeness of your intention in sending us the Report by Captain Lawe, but as Messrs. De Rouville and De St. Ours, were prepared for the journey to Quebec, had they been called upon to attend when the Report was laid before the Board, we really regret that you did not adopt that measure.

We have the honor to be

Sir,

Your obdt. and most humble Servts.

(Signed) *James McGill,*
Quinson de St. Ours,
J. B. M. Hertel de Rouville,

Kenelm Chandler, Esqr.

MONTREAL Friday Evening.

GENTLEMEN,

From the reception I have met with, respecting the Papers intrusted to my care which have been submitted to your inspection, I apprehend you will not shortly come to a decision, I hope I

ſhall meet with your approbation in explaining the injunctions delivered me by the Board of Commiſſioners at Quebec.—By them my ſtay in this place is limited, ſo that I cannot venture to prolong it beyond Monday next, at 12 o'Clock, hoping that no demur would have enſued on your part, I expected to begin my journey to-morrow morning.—I ſhall however poſtpone it till the time ſpecified, before which, I hope you will be able finally to decide on the buſiness.

(Signed) *G. Lawe.*

Meſſrs. Rouville, McGill and St. Ours

WEDNESDAY Morning, 6 o'Clock.

Dear Sir,

I arrived in the night last night.—My Papers quite ſafe and me in good Condition—Myſelf Ducked, Baked, Broiled, boiled, Hawed and Roaſted—But as hearty and careless as Tom the Devil, and ready when called on to give account of my Embaſſy —have the goodness to ſend for the Box of Jeſuits, as I have no one to ſend it up by.

Yours Truly,

(Signed) *G. Lawe.*

To K. Chandler, Esquire.

1.—General Abſtract of the Titles.
2.—General Statement of do.
3.—Title Deeds Vol. 1 2.
4.—Reports, No. 1 2, by Meſſrs. Taschereau & Scott.
5.—Recapitulation of the State of Population.
6.—Report.
7.—*Aveu et Dénombrement.*

I do hereby acknowledge to have received from Mr. Henry Anthony Genet, Secretary to the Commiſſion the above Books and Papers, contained in the foregoing Liſt, being Part of the Credentials of the ſaid Commiſſion to be taken by me to Montreal, to be approved and ſigned by the Commiſſioners, there as ordered by the Commiſſioners this day, and I do hereby bind myſelf to return the ſaid Books and Papers to Genet on my return to Quebec.

(Signed) *G. Lawe.*

Quebec, 17th June 1789.

To His Excellency, The Right Honorable Guy, Lord Dorchester, Captain General and Governor in Chief of the Colonies of Quebec, Nova Scotia and New Brunswick, General and Commander in Chief of His Majesty's Forces, &c. &c. &c.

May it please Your Lordship,

In obedience to your Lordship's commands signified to us by Mr. Secretary Motz's Letter of the 23d of October last, in which we are informed, "That a Committee of the whole Council appointed on the "8th then instant, to report the course remaining to be taken for fulfilling His Majesty's Order of the 18th of August 1786, relating to "the Estates of the Order of Jesuits in this Province, having in their "Report to your Lordship of the thirteenth then instant, suggested "the utility of a digest or analysis of the contents of the Papers enumerated in the aforementioned order of reference, to be framed by the "King's Law servants in this Province, allowing liberty to them to subjoin such remarks and observations thereon, respecting both Law and "Fact, as may be officially expected from them in a due attention to the "interests of the Crown, he had your Lordship's commands to signify "to us your desire to receive from us such a digest or analysis of the "contents of the said Papers as is recommended by the Council, with "such remarks and observations thereon as we may find it incumbent upon us to add, and further informing us, that the Clerk of the Council "was instructed to give us access to all the proceedings had under the "Royal order of the 18th of August 1786 entered in the Council "Books, as well as to all the Papers relating to this subject, which are "filed in the Council Office."—We have the honor of reporting to your Lordship as follows.

That in order to obtain a competent knowledge of the nature of this Business, with a view of fulfilling as far as possible the views of your Lordship and those of the Council, all centering we apprehend in the due execution of His Majesty's said order in Council of the 18th of August 1786—we have in the course of the winter employed as much of our time as could well be spared from our other necessary avocations and duties to government, in perusing and digesting the voluminous papers and proceedings which compose the objects of Analysation, as well as those remaining of Record in the Council office necessarily connected therewith, as well with the main object of the reference to the Committee of Council, and your Lordship's present requisition to us His Majesty's Law Servants.

From these researches we are enabled now to lay before your Lordship an Analysis or digest of the titles of the principal Estates of the late Order of Jesuits which were held as Fiefs and Seigniories, composing more than 17-18ths of their whole annual income or revenue and consequently forming the main object of inquiry.—The Lands held in

Roture or in Soccage yielding a Revenue of seventy-four pounds, seventeen shillings and three pence Currency, out of twelve hundred and nine pounds eight shillings and three pence, the whole annual income of the Jesuits' Estates, we did not consider to be of sufficient importance to retard our reporting upon the Seigneuries, especially as the number of Titles to the Lands in Roture will necessarily take up a time in the examination greatly disproportioned to their value, and together with the Estates aliened retard our reporting upon the objects we have already discussed, in our observations upon which we are enabled to lay before your Lordship what principally occurs to us.

We observe that the object which His Majesty's order in Council has in view, is the granting legally to the Right Honorable Jeffery Lord Amherst such of the Estates of the late order of Jesuits as may be legally given and granted by His Majesty, subject to certain reservations and conditions therein particularly stated and others referred to your Lordship, to Report to His Majesty for His Royal consideration ; and we are therefore the more solicitous in making our report, to give your Lordship an early opportunity of forming a Judgment upon the Estates we have analysed, that the trust reposed in your Lordship may be the better answered, and the noble Lord in whose favour the Royal Bounty is intended may be brought nearer his object.

The Commission issued by your Lordship with the advice of the Council the 29th of December 1787, was calculated to attain the ends and information suggested as necessary by the Crown Law Officers in England, and required by His Majesty's said Order in Council previous to making the Grant.—And the first Question before us appears to be, how far the execution of that Commission has been such as to answer the ends proposed by it? The heads of inquiry will fall to be considered at the same time and to be compared with the execution of the Trust as reported by the Commissioners. These were to be ascertained in due form of Law.

1st. What Lands and Estates were held, possessed and claimed by the said order of Jesuits within the Province and the manner and ways by which they required the same.

2d.—What parts thereof have been by them aliened and exchanged, and

3d.—What parts and portions thereof are now vested in His Majesty, and may by His Majesty be legally given and granted.

4th.—The nature and quality of the said Lands and the present Titles by which they are possessed.

5th.—Their present value.

6th.—The nature and extent of the rights of Seigniory.

7th.—The nature of the Tenure by which they are holden.

8th.—Their exact local situation.

9th.—The state of their Culture and Population, and

10th.—Whether any and what claims are made by the Heirs of the Donors of such parts of the Lands as were given to the said Religious Order by private persons.

By the Commission nine gentlemen were appointed to make this investigation, or any three of them, with direction to make return thereto under their hands and Seals, and we find, that pursuant to your Lordship's order of the 24th of April last, in consequence of a Report of a Committee of the whole Council of the 22d of the same month requiring the Commissioners to Report to your Lordship :—

1st. How far the Commissioners have been able to execute the Trust committed to them.

2d. What remains to fulfil the same.

3d. What obstacles are in the way, and

4th. By what means they conceive the same may be removed and the intention of the Commission attained. Four of the nine Commissioners did upon the 17th of June following make Report under their hands and Seals, that the objects of the Commission were attained, and stated and comprised in certain Schedules marked and numbered, as therein mentioned and forming the six first articles in the order of reference of 8th of the October, required to be analysed by us.

These we have carefully gone through particularly the two Volumes marked B. B. volumes first and second of the Title Deeds of the Jesuits' Estates, from which and the Volume C. containing the *Aveu et Denombrement* to the French Intendant in 1733, and another to Governor Haldimand in 1781, we have formed the Analysis of the Titles to the eleven Seigniories annexed to this Report, in the following manner, viz.

1st. We have taken for the Title of each separate Seigniory under articles 1st to 11th the best description to each estate, made up from the two *Aveus et Dénombremens* compared with the description in the Titles, and together forming such a description as we conceive may be sufficient to be inserted in a grant or conveyance.

2d. We have made a statement of the different Titles by which these Estates were acquired by the late order of Jesuits.

3d. And lastly we have extracted and set down the motives and considerations upon which these several acquisitions were attained and held.

And we have added our own particular observations upon each Seigniory analysed, so that your Lordship may see the Estates acquired, the Tenure by which they are held, the several rights, privileges and exemptions of each, the motives or causes of the respective grants, and the considerations, reservations, and conditions, for and upon, which they are possessed.

This we have done in English under the best interpretation we can give of the Title Deeds or Grants, which are all in French, of the last Century, but in order to remove doubt, and save the tediousness of research we have added a complete abstract of the several Title Deeds in French containing all the necessary clauses, in general *verbatim* from the Deeds themselves. To these we have added a Recapitulation or general statement of the Revenue or Income of these several Estates in different articles of produce and money, reduced to the Currency of this Province, with a state of the Population, Culture and improvement un-

der the several heads therein mentioned, and which we have taken from the general abstracts or statements reported by the Commissioners, being the only part of these other objects of analysation which we conceive it necessary to report, because they are chiefly made up from the Title Deeds to serve as abstracts, and from the Plans of the Estates certified by sworn Surveyors contained in Book No. 3, which also forms a part of the useful and instructive Titles of these Estates as well from the Land Rolls, *Aveus et Denombrements* as local researches and information of the Commissioners, and consequently do not require further Analysation.—We have also added a like Recapitulation formed by the Commissioners and found in these abstracts, shewing the annual income &c. as above, of the Lands held in *Roture*, by which your Lordship will see the particular objects remaining to be analysed and their value, exclusive of their alienations, which, together, will form our next report.

The Commissioners have indeed reported in what is termed.—"A General abstract of the Titles of the Estates that were of the late order of Jesuits"—marked No. 2 upon the List, that the whole of these Estates are vested in His Majesty, and may by His Majesty be legally given and granted, which it is material to attend to; and it is to be observed that in their Report of the 17th of June last, they state that no claims had been made to them by the heirs of any of the Donors to any part of the Lands that were given to the said Religious Order by private persons, they further state in their said Report their having ascertained the several objects therein mentioned by the means in part of documents furnished them by the Jesuits, and in further part by researches among the Records of the Province in the custody of the Clerk of Inrollments, and by other inquiries and information made and had by some of the Commissioners on the premises, all which appear to us as regular and proper as could well be expected, and holding as we do the Title Deeds reported to be authentic, we do not hesitate, so far as we have gone, in concurring with the Commissioners, that these Seigniories are vested in His Majesty, and may consequently upon the return of the Commission be legally given and granted to the Right Honorable Jeffery Lord Amherst, his Heirs and Assigns, subject to the conditions of His Majesty's said order in Council and with the exception, therein referred to, your Lordship's wisdom as the King's Governor.

It now becomes neceſſary for us to obſerve upon the other papers mentioned in the order of reference of the 8th of October. The firſt is a letter of the 9th March 1789 from the three Montreal Commiſſioners to the Preſident Mr. Chandler, reporting ſome objects of the enquiry in the upper Countries, &c. The ſecond is a ſtate of the Income, Population, &c. of the Jeſuits' Lands in and near Three-Rivers, taken by a Notary on the ſpot in the preſence of one of the Commiſſioners.—The third conſiſts of

three Reports by Meſſrs. Scott & Taſchereau to the Commiſſioners; which appears to have method and arrangement in them, and muſt have been of very great utility —The firſt containing extracts of all the Titles found by them in their researches up to the 17th March 1788, with obſervations upon them; the second containing extracts from the Titles, and a ſtate of the Lands alienated or exchanged, with a recapitulation of the annual income of the whole taken from the laſt *Aveu et Denombrement*, and a liſt or ſtate of all the Titles and Public Acts to be found in the ancient records of the Province, as well as in thoſe ſince the conqueſt regarding the Jeſuits' Eſtates with obſervations thereon; and a third containing a liſt of the Tenants or *Cenſitaires* holding of the Jeſuits in the Town of Quebec, with the Rents they pay, as received from their *Procureur*, with a like liſt of Tenants, &c in the Pariſh of St. Nicholas.

We find at the end of the liſt a Memorial or Petition of two of the Commiſſioners, to wit, Messrs. Panet and Taſchereau, accompanied with a paper of obſervations by them on the proceedings and Report of the four Commiſſioners in the nature of a representation or protest, complaining of irregularity and precipitation in the Buſineſs, and particularly that the Schedule, No. 2, A. and D. ought not to be conſidered as the Report of the majority of the nine Commiſſioners, as neither they nor the three Commiſſioners at Montreal could in honor approve or ſign them, becauſe, ſay they, they are ſupported upon irregular proceedings had contrary to ſeveral reſolutions of the nine Commiſſioners, and becauſe the ſaid four Commiſſioners employed ſuch precipitation as to deprive them of neceſſary papers, and render it impoſſible for them or the Montreal Commiſſioners to verify, examine and ſign them—In proof of these advances they refer to a Book B, intitled, "Proceedings of the Commiſſioners reſpecting the Eſtates of the Jeſuits," and cite ſeveral particulars of which we cannot form any judgment as the Book B. is not reported, but from the nature of their obſervations upon the Report, and Schedules ſubmitted to your Lordſhip and contained in nine remarks thereon, we are enabled to form ſome judgment of the nature and validity of their objections—theſe are:—

1st. That the Report does not anſwer fully the four queſtions propoſed in the Report of the Committee of the whole Council on the 22d of April.

2d. That they, the four Commiſſioners have not proceeded in due form of Law agreeable to the Commiſſion.

3d. That by the Report referred to in Schedule No. 2, it is es-

tabliſhed, that all the Eſtates may be legally given and granted to the Right Honorable Jeffery Lord Amherſt, but they humbly aſſure your Lordſhip that that point, extremely delicate and of great importance to His Majeſty's Loyal Subjects in this Province, has never been yet propoſed officially, nor debated at any meeting to which they and the Commiſſioners at Montreal have been called.

4th. That the ſaid Report and Schedule undertakes to aſſure your Lordſhip that the nature and quality of the Lands is thereby ascertained, although the Commiſſioners have not inſpected or viſited them for that purpoſe, and although on failing to obtain a Proclamation propoſed by a former official Report of the 19th April 1788, they had rejected a propoſed advertisement mentioned in the Book B, ſo that they Meſſrs. Panet and Taſchereau cannot comprehend how the ſaid Schedule could ascertain the Tenure of the Lands of the *Terre* Tenants without having made a Land Roll upon the ſpot, and by the Titles which the Tenants are by Law obliged to exhibit for that purpoſe when legally thereto required ; and that the ancient Plans and Titles cannot ascertain the exact ſituations of the Lands as they are at preſent poſſeſſed, nor their preſent ſtate of culture, nor their preſent value and population.

5th. That the ſaid Schedule eſtabliſhing that no claims had been made to the Commiſſioners by the Heirs of the Donors, had theſe words added only the day before : viz. " Becauſe neither the Commiſſion nor any Advertiſement for that purpoſe had been publiſhed." They humbly inform Your Lordſhip, that the merits of that point had never been propoſed at any Aſſembly where they or the Montreal Commiſſioners had been called. That only the day before there had been added to the Schedule No. 2, page 6th. the mention of a letter of the 17th of April then laſt, received by Mr. Chandler from Pierre Panet, Eſquire, giving notice of a claim, which letter they never ſaw amongſt the Papers of the Commiſſion, nor elſewhere ; that the ſaid four Commiſſioners, however well apprized of the Petition and Memorial preſented to Your Lordſhip the 19th of November 1787, by the Citizens of Quebec, have paid no attention in their Report and Schedule to that claim, which the Inhabitants of this Colony propoſed to make and ſupport on the firſt official notice, for the execution of the foundation which they aſſert to have been made in their favor, as well for the free exerciſe of their Religion as for their Education and Inſtruction, agreeable to His Moſt Chriſtian Majesty's Diploma of the 12th of May 1678, on which Diploma the ſaid Inhabitants intend to eſtabliſh their rights, as well by the Tit-

les and National Treaties cited in their Memorial, as by ſeveral other ways and means which they propoſe to bring forward.

6th. That the ſaid Report does not eſtabliſh or obſerve upon the third point propoſed by the Commiſſion; to wit: what parts and portions have been alienated or exchanged, although the Report of Meſsrs. Scott and Taschereau in the French language, under the No. 2, page firſt and following pages, eſtabliſhes the parts and portions of theſe Eſtates, formerly alienated and exchanged by the Jeſuits, and that in order to be aſcertained that the Jeſuits, particularly ſince the Conqueſt, have not in virtue of their particular Title to each Eſtate, and the laws, uſages and cuſtoms before the Conqueſt or ſince unto the preſent day, in conſequence of the Capitulation, alienated or exchanged the whole or parts of the Eſtates of which the Commiſſioners are only in poſſeſſion of Copies of the ancient Tiles, it would be neceſsary legally to command the ſubjects of His Majeſty to declare formally and in writing, within a fixed period, ſuch as may have acquired and now poſſeſs the whole or any parts of the ſaid Eſtates in this Province, and to produce the Titles and pretenſions which ſuch ſubjects and every of them pretend to have thereto, and which is one of the obſtacles which may be removed, by the means propoſed in the Draft of a Report laid before a Meeting of the Commiſſioners the 2nd of May laſt, which, with divers Minutes, has not been annexed to the Report, nor to the Schedule No. 2, delivered in to Your Lordſhip.

7th. That the ſaid Report omits to obſerve, that the Order of His Majeſty in Council of the 18th of Auguſt 1786, upon the Petition of the Right Honorable Jeffery Lord Amherſt, and of which mention is made in the Indorſement on the Back of the Commiſſion, has never come to the official knowledge of the Commiſſioners.

8th. They humbly obſerve that the ſaid Report and the Schedules No. 2, and others thereto annexed, undertake to eſtabliſh that all the Lands there deſignated, were theretofore held, poſſeſsed and claimed in this Province, by a certain Community known under the name of the Order of Jeſuits, without having officially ſhewn the proofs, nor discovered the nature of the claims known to have been heretofore made by the said Jeſuits, and without having eſtabliſhed the fact which is of public notoriety, to wit: that the Reverend Fathers Auguſtin Louis De Glapion, Superior General of the Jeſuits in Canada, Jean Joseph Cazot, *Procureur* to the College of Quebec and others of their Community poſſeſs at this day, as they have done before and ſince the Conqueſt, all the Lands of which the Schedule No. 2, makes mention, and

of which they voluntarily exhibited to Meſsrs. Scott and Taſchereau the Titles mentioned in their Reports Nos. 1, 2, and 3, alledging ſimply and *viva voce* that theſe were the Titles of their Property, and that they were in peaceable, effective and actual poſſeſſion. They obſerve alſo, that it is of public notoriety, that by different Judgments of the Courts of Juſtice in this Province they have been maintained in their rights, and that to their knowledge they continue to poſſeſs all the ſaid Lands, except a part of the College of Quebec, now occupied for the King's Proviſion Store and Barracks for part of the Garriſon.

9th. They beg leave to inform Your Lordſhip that they had offered to give their obſervations in writing that morning, to be annexed to the Report and Schedules, requiring to be present with the Commiſſioners named for preſenting them to Your Lordſhip, but that thoſe propoſitions were rejected by the four Commiſſioners. They conclude by praying Your Lordſhip to order them an authentic Copy of the Book B. intituled, "Proceedings of the Commiſſioners relative to the Eſtates of the Jeſuits," in order to aſcertain the irregularities of which they complain, the Reports Nos. 1, 2, and 3, of Meſsrs. Scott and Taſchereau, the Draft of a Report and Advertiſement proposed by Mr. Panet 2nd of May laſt, and all the Papers to which all the Reſolutions refer, also two Letters of Mr. George Lawe of the 20th of June then inſtant, to Meſsrs. De St. Ours and De Rouville, and finally they ſubmit to Your Lordſhip's wiſdom if it would not be neceſſary to order the Preſident to call a Meeting of the nine Commiſſioners, in order to form a true and juſt Report, whether proviſional or final, as the majority ſhall determine, to preſent officially to Your Lordſhip.

Theſe obſervations or objections neceſſarily lead us into ſome inquiry as to their tendeney as well as their validity, and we cannot help remarking, that though a great deal is ſaid reſpecting the Montreal Commiſſioners, there is no countenance given by them to the objections, nor does it appear from the Commiſſion that the whole nine Commiſſioners muſt neceſſarily be employed and meet together, and report upon the buſineſs of the Commiſſion, ſince any three are made competent to that purpoſe. The three Gentlemen of Montreal appear to have been employed in making enquiry and reſearches in that Diſtrict, and reporting ſuch information as they acquired from time to time to the Commiſſioners at Quebec, of theſe laſt, four out of ſix, including the President, after a very tedious and expenſive inveſtigation, agree to make a Report of the due execution of the Commiſſion, from the reſearches made by themſelves and others and the ſeveral Title

Deeds and Documents by them referred to, the other two oppoſe or object, and differences thence arising, a Report by theſe four under their hands and ſeals is given in to Your Lordſhip.

Prima facie, the Report of ſo great a majority as four out of six, would appear reaſonably ſufficient and deciſive, especially in a caſe where information alone is wanted, ſeemingly unattended with thoſe ſerious doubts and difficulties ſuggeſted by the oppoſing Commiſſioners; but as it ſeems connected with the ſubject of His Majeſty's right to theſe Eſtates, and the objects of enquiry previous to the exerciſe of thoſe rights by the granting of them, we will examine the ſeveral grounds of objection formed by the oppoſing Commiſſioners, and thereby ſhew our ſenſe of them, as well as the grounds upon which we form our opinion of the propriety of the proceedings of the reporting Commiſſioners, and the right which we conceive His Majeſty now has and may legally exerciſe, in making a Grant of the whole or any particular part of the Eſtates, the Titles of which we have already analyzed, to whomſoever or to whatſoever uſes and purpoſes His Majeſty has already or may in future be pleaſed to appoint and direct.

And 1st. It occurs to us that the Commiſſioners' Report contains the beſt poſſible answer to the four points or queſtions propoſed in the Report of the whole Council of the 22nd of April, communicated by Your Lordſhip to the Commiſſioners, inasmuch as the ends of the Commiſſion being thereby reported to be answered by the full execution of the truſt committed to them, nothing remained to be fulfilled, and no obſtacles appearing in the way, no means were neceſsary to remove them, the whole ends of the Commiſſion were attained.

2nd. Nothing contrary to Law appears to us in the proceedings of the Commiſſioners.

3rd. We cannot see the great delicacy and the great importance to His Majeſty's Loyal Subjects of this Province, expreſsed by the oppoſing Commiſſioners, or where a doubt can ariſe to create a debate about the Lands in queſtion being veſted in his Majeſty, ſo as to be by His Majeſty legally given and granted, but we conceive that this delicacy and this importance ariſes from their ideas of the pretenſions of certain citizens of Quebec, ſubscribers to a Petition and Memorial delivered to your Lordſhip in November 1787, and particularly mentioned by the oppoſing Commiſſioners in the 5th Article of their objections, by which the Petitioners aſsert a right for themſelves, as Citizens, and the Inhabitants of the Province at large, to the whole Eſtates of the Jeſuits for the purpoſes of Public Education, under a ſuppoſed Foundation and ſubſequent Dotations for that express purpoſe, to main-

tain which they are ready upon the firſt official advertiſement ; and it is ſtated as a ground of objection that no ſuch publication or advertiſement of the Commiſſion had been made.

On this we have to obſerve, that from an examination into the merits of the Citizens' Petition and Memorial in support of it, compared with the Titles of the ſeveral Eſtates we have hitherto analyzed, we do not find any juſt, legal or well founded ground to ſupport the allegations and pretenſions of the Petitioners, if they could be conſidered as entitled to make the claims they do, for it nowhere appears that these Eſtates were given to or accepted by the Jeſuits for uſes and upon truſts that can ſupport any claim whatever, either by the Heirs of the Donors or the Inhabitants of the Province. The great object in the ſeveral Grants to the Jeſuits in the laſt Century, ſeems to have been the conversion of the Savages to Chriſtianity ; moſt of them are in conſideration of paſt ſervices in that way, and in the great uſe they had been of in eſtabliſhing the Colony. None of the grants impoſe any conditions that can give riſe to a claim from any quarter whatever at this day, on the contrary ſome of the Titles are anxiouſly explicit in freeing them from burdens that never exiſted, or were meant to be impoſed, and the general maxim of their inſtitution alluded to in one of the Title Deeds of the Eſtate and Seigniory of *Notre Dame des Anges*, ſhews how different were the ideas regarding them of theſe days and thoſe now maintained :—Poverty might be the vow of the Individual but this ſociety was rich and powerful—its riches and its ambition, ſupported by its vices as well as by its virtues, brought it to its end in France in 1762, and in Italy where it firſt originated and had its centre of Union, in 1773 ; and though it may ſeem that the Eſtabliſhment and diſſolution of the Society in thoſe Countries was unconnected with that branch of it which was eſtabliſhed in this Province, prior to the Conqueſt of it by the Britiſh Arms, yet it will appear that the proceedings now to be had, are, and ought to be, influenced by that of thoſe Countries from neceſſary connection.

From the earlieſt period of the Settlement of the Colony it appears that the Jeſuits poſſeſſed property, at firſt in the name of and as Adminiſtrators to the Native Savages of the Soil, and next, in their own name though without any legal footing or eſtabliſhment till the year 1651 in the month of July, in which year they obtained from the French King Letters Patent for their Eſtabliſhment in North and South America, which are analyſed under the head of General Titles and annexed to this Report, from which it will appear that they were allowed to poſſeſs Lands and

Houſes and other property for their ſubſiſtence upon the ſame footing as they did at that time in the Kingdom of France, the Lands they had acquired were thereby confirmed to them, and they obtained the ſingular privilege, rarely granted to Religious Communities, of acquiring without further permiſſion other Eſtates and property without limitation. Thus rendered capable of acquiring and holding Eſtates, their grants were variously conceded ſometimes to the Revd. Fathers of the Company of Jeſus generally, at others to thoſe of the Company eſtabliſhed in New France, but all evidently for the Society at large and ſubject to the Rules of their Inſtitution. Three of the moſt conſiderable Eſtates granted in this way prior to the Letters Patent of July 1651 were afterwards, to wit, in 1676 explained away, for what purpoſe or with what intent we cannot account, and regranted by the Intendant to the Jeſuits for the College at Quebec, but it does not appear to us that the Intendant had ſuch power of changing the deſtination of any Deed, eſpecially when not judicially brought before him, or of granting Lands under ſuch circumſtances; on the contrary, as we find contemporary Grants of Seigniories made by the Governor who was then upon the ſpot, and as we do not find any of the Deeds of Explanation and Grants alluded to were confirmed by the King, they being made ſubject to His Majeſty's pleaſure, we are inclined to think he had no ſuch authority, and we have accordingly ſtated in our particular obſervations upon theſe three Eſtates what occurs in objection to theſe particular Titles.

On theſe Deeds are founded in part the claims of the Petitioners who do not ſtop however there, but form equal pretenſions to every part of the Eſtates of the Jeſuits, upon this broad principle, that they were no more than ſucceſſive Adminiſtrators of the Eſtates ſuppoſed to be conveyed to them in truſt, in ſupport of which they cite two paſſages from Charlevoix's Hiſtory of Canada, ſtating a Donation by the relations of a private perſon in France on his becoming a Jeſuit, for the purpoſe of building a College at Quebec, and the Grant of a piece of Land by the New France Company to the Jeſuits for that purpoſe. They alſo cite the vows of poverty and chaſtity taken by the Members of the Order and an Edict or Law prohibiting Donations to the Individuals of the Society, all of which, however, falls greatly ſhort of the proofs requiſite to ſupport ſo formidable a claim as that ſet up by the Petitioners, nor do we think that ſuch a Petition or Claim, came at all within the ſphere of the inquiry inſtituted by the Commiſſion under the head of claims by the Heirs of the Donors of ſuch part of the Lands as were given to the Religious Order of Jeſuits

by private perſons, or that the Commissioners did wrong in conſidering that nothing therein contained could legally prevent or hinder His Majeſty from giving and granting the Eſtates in queſtion. As matter of legal right it was their duty to conſider the Petitioners pretenſions as unfounded, if they had come before them, and as matter of grace, the Petition might be fitting for your Lordſhip's conſideration, but not for them ; the plea of want of notice ſeems extraordinary after all that has paſſed in and out of Council upon this ſubject.

4th—The objection that the Report and Schedules do not eſtabliſh the nature and quality of the Lands, and that the Tenure, exact ſituation, ſtate of culture, value and population could not be ascertained but by making a Land Roll upon the ſpot and from the Titles, may in ſome degree be founded, becauſe we do not find that the nature and quality of the ſoil has been particularly adverted to by the Commissioners, and we know not the courſe they may have taken to obtain information upon the other heads which are particularly reported upon.

5th—The objection to the Reports eſtabliſhing that no claims had been made by the Heirs of the Donors of the ſaid Lands, ariſing they ſay from want of Advertiſement, has been already noticed by us ; and we have further to remark that nothing could be better known throughout the Province, than the proceedings respecting the Jeſuits' Eſtates, which is fully proved by the Petition of the Citizens of November 1787, and by the reſearches continually making by the Commiſſioners themſelves, by the proceedings had before the Council upon this buſineſs, and other circumſtances of public notoriety. We have alſo to obſerve that the claim of Peter Panet, Eſquire, alluded to in this objection, was ſuch as hardly came within the ſphere of inquiry, being a Mortgage on one of the Eſtates for money lent, and not a claim by the Heir of any Donor.

6th—There appears to us an omiſſion in the Report respecting the parts and portions of the Jeſuits' Eſtates which were aliened or exchanged, for in fact that part of the Commiſſion is equally fulfilled, and the objects alienated and exchanged with Titles reſpecting the ſame certified and stated in the Schedules annexed to the Report, we do not perceive the neceſſity of requiring all His Majeſty's ſubjects to declare whether any of them poſſeſs the whole or any part of the Eſtates of the Jeſuits, and to produce their Titles ; we are well aſſured that ſince the Conqueſt the Jeſuits neither have alienated nor could they legally alienate any part of theſe Eſtates, and we are informed in the eighth objection, that it is of public notoriety that the Jeſuits themſelves are

yet in poſſeſſion of the whole of their Eſtates, and have been maintained in their rights, except a part of the College, which is alſo ſtated by the oppoſing Commiſſioners to be conſiſtent with their own particular knowledge, a circumſtance which ſeems to involve inconſiſtency if not contradiction.

7th—We do not know whether the oppoſing Commiſſioners have had official knowledge of His Majeſty's Order in Council of the 18th of Auguſt 1786, nor what they mean to infer from ſuch want of official knowledge, the Commiſſion was their direction.

8th—We can as little conceive what is meant to be inferred from this objection, if it is not that theſe two Commiſſioners mean to find fault with the ſtile of the Commiſſion, and the idea therein held of the non-exiſtence of the Jeſuits as a Body, which the other Commiſſioners have very properly continued throughout their proceedings, and in their Report and Schedules therein referred to, they ſeem to conſider the poſſeſſion held by the Jeſuits of the Eſtates which belonged to the order, as evidence of their Civil and Political Exiſtence, but neither that nor any other circumſtance which has come to our knowledge will warrant ſuch a concluſion.

9th—And laſtly, the complaint of a refuſal to receive their written obſervations to be annexed to the Report, may perhaps be accounted for from a review of the nature and tendency of theſe now given, ſuppoſing thoſe offered to be similar, but on this ſubject we will be ſilent for want of Information from the Commiſſioners of their particular reaſons for ſuch their conduct.

Upon the whole, the various proceedings had under the Commiſſion, and the information attained by it and now before us, conſidered with a due regard to the intereſts of the Crown and the ſpirit of His Majeſty's Order in Council, we do not think it expedient that your Lordſhip ſhould give in to the ſuggeſtion of the oppoſing Commiſſioners, by ordering Copies of a variety of voluminous papers and proceedings for the purpoſe of ſupporting ſuch ſort of objections as theſe, and referring to a meeting of the nine Commiſſioners to make by a majority of the whole what they would conſider a true and juſt report. At the ſame time we ſubmit to your Lordſhip, how far it may not be neceſſary to cauſe to be ascertained by the Commiſſioners the nature and quality of the Lands in queſtion, as one object of the Commiſſion particularly ſtated in His Majeſty's Order in Council, but not ascertained by the Report and Schedules, though ſtated in the

Report to be ſo, perhaps from the Commiſſioners conſidering the ſtate of Culture and Improvement under the heads of Arable, Meadow and Wood Land to have been ſufficient without attending to the nature and quality of the ſoil, or perhaps from inadvertency, as we conceive the omiſſion in the Report with regard to the Lands alienated or exchanged to have been, both of which, however, may be very easily and ſpeedily rectified and ſupplied.

We are led to this opinion by conſidering that neither from the ſpirit of His Majeſty's order in Council, nor by the Laws of the Province, that ſtrictneſs and adherence to form is required in order to attain the knowledge which was required previous to making a grant—the commiſſion is aſſimilated to ſuch as are made uſe of in England for the purpoſe of informing or inſtructing, but to no particular proceeding known to the Laws of the Province, though there are many inſtances in France of Commiſſions of Inveſtigation iſſued by the King *ad inquirandum*, when eſtates have fallen to the Crown and been uſurped by Individuals, the common courſe of the Law eſtabliſhed in the Province points out a mode of ſeizure or ſequeſtration at the ſuit of the Public Officer, the King's Attorney General, and leaves all claimants to make out their rights and pretenſions in a courſe of what is called oppoſition, which is a claim regularly heard and diſcuſſed before the Tribunals of Juſtice competent to ſuch queſtions; and although there can be no objection to the courſe adopted of inquiring by Commiſſion, yet nothing in the Law would preclude perſons having juſt claims upon the Eſtates in queſtion, from availing themſelves of their rights and pretenſions, notwithſtanding that His Majeſty ſhould grant away thoſe Lands upon the information obtained, ſuch grant being conſidered always to imply in the French as in the Engliſh Law the *Salvo jure cujuslibet*, but in fact there neither are nor can there be any individual claimants to the Lands and Eſtates which we have conſidered—and the claim of the petitioning Citizens of Quebec in the name of the Public, however proper, as we have already obſerved, for your Lordſhip's conſideration and the grace of the Crown, under the exception or reſervation referred to Your Lordſhip's wiſdom and to be ſubmitted to His Majeſty, cannot be conſidered in the light of a legal or regular claim to obſtruct the right, which is veſted in His Majeſty as the father of his people and only repreſentative of the Public in this Province, from diſpoſing of theſe Eſtates as to His Majeſty in His Royal wiſdom may ſeem fit.

We have already obſerved the footing upon which the order of Jeſuits held their Eſtates in the Province under the Letters Pa-

tent of July 1651, to be the ſame as that on which they held Eſtates in the Kingdom of France. It was not however until the year 1658 that theſe Letters Patent were enregiſtered in the Parliament of Paris, which, ever jealous of this Society and its influence with the Sovereign, was careful in the act of regiſtration to expreſs the condition of their Eſtabliſhment; hence may be ſeen the application which may be made of the proceedings in France in the years 1761 and 1762 to the Jeſuits of this Province. The nature of their Inſtitution prevented them individually from taking any thing under the Capitulation of all Canada, and to their Society, under one head and abſolute Governor domiciled at Rome, nothing was granted or could be legally or reaſonably ſuppoſed to be conveyed, but even that head, and with it, the whole Society, whereſoever diſperſed, was finally diſſolved and ſuppreſſed in the year 1773, ſo that the exiſtence of the very few Members of the Order in this Province can in no ſhape be conſidered as forming a body politic or corporate, capable of any of the powers inherent in and enjoyed by Communities.

In this ſituation we do not even need to call in the aid of the proceedings in France, againſt the Jeſuits there, to eſtabliſh His Majeſty's Rights—As a derelict or vacant Eſtate His Majeſty became veſted in it by the cleareſt of Titles, if the Right of Conqueſt alone was not ſufficient, but even upon the footing of the proceedings in France and the Judicial Acts of the Sovereign Tribunals in that Country, the Eſtates in this Province would naturally fall to His Majeſty and be ſubjected to his unlimited diſpoſal; for by thoſe deciſions it was eſtabliſhed upon good, legal and conſtitutional grounds, that from the nature of the firſt Eſtabliſhment or admiſſion of the Society into France being conditional, temporary and probational, they were at all times liable to expulſion, and having never complied with, but rejected the terms of their admiſſion, they were not even entitled to the name of a Society; wherefore, and by reaſon of the abuſes and deſtructive principles of their Inſtitution, they were ſtript of their property and poſſeſſions, which they were ordered to quit upon ten days notice, after having been compelled to give in a full ſtate of all they had, with the ſeveral Title Deeds and Documents or Proofs in ſupport of it. Sequeſtrators or Guardians were appointed to the management of their Eſtates and in a courſe of time and with a regularity proportioned to their importance, proviſion was made for the application of them in the various ways that Law, Reaſon, Juſtice and Policy dictated, and all this was done at the ſuit of the Crown Officer by the Courts of France, as we apprehend in a a Judicial, and not in a Legiſlative Capacity.

It is therefore, as well for theſe as for other reaſons peculiar to the ſituation of the Jeſuits in this Province, that we are inclined to differ in opinion with the Honorable Members who compoſed the Committee of Council who reported to your Lordſhip on the 21st. of October 1788, that a Law or Ordinance of the Provincial Legiſlature was neceſſary to effect His Majeſty's Moſt Gracious intentions towards Lord Amherſt and His Majesty's benevolent Bounty to the Public, by declaring His Royal Will and Pleaſure as to the ſuppreſſion and Diſſolution of the Order of Jeſuits and the annexation of their Rights, Properties, and Poſſeſſions to the Crown for ſuch purpoſes as His Majeſty may think proper to direct and appoint.

The Grounds upon which the Honorable Members of the Committee adopted theſe ſentiments and opinions, to wit, the contemplating the poſſeſſion retained by the Jeſuits under the ſanction and eye of the Government, and under the divers approbative, if not confirmative, Acts of its Miniſters, do not weigh with us, becauſe nothing, as far we know, has been done or countenanced by Government to alter or change the condition or footing upon which the Jeſuits of Canada ſtood at the time of Conqueſt or ſince. It is true they have been ſuffered to remain in poſſeſſion of theſe Eſtates, and Governor Haldimand, in 1781, received from them an *aveu et dénombrement*, or declaration of the Eſtates they poſſeſſed in the Province, but under an expreſs guard that ſuch reception ſhould not injure the rights of the Crown, and without receiving them to Fealty and Homage, as we find from the Papers now before us, neither of which we conceive can be conſidered as approbative or confirmative Acts; nor can the Jeſuits or any other perſons derive title or advantage from ſuch circumſtances under the preſent inquiry; on the contrary the lenity and indulgence that has been ſhewn ſhould operate the other way, and induce the Jeſuits to look with gratitude to His Majeſty for the protection they have received, and produce a ready compliance on their part with His Majeſty's wiſhes, as well as the diligence of all perſons concerned in bringing this buſineſs to a concluſion.

We conceive it does not need the aid of a Law to effect this purpoſe, nor much difficulty legally to obtain the poſſeſſion of the Jeſuits' Eſtates long fallen to and veſted in His Majesty by every Rule of Public or Private, Civil or National, Law and Practice. If a grant is made to Lord Amherſt and his Heirs, it will be his Lordſhip's buſiness to make it effectual, or if a Poſſeſſion as well as Title is thought neceſſary to be veſted in the Crown, there is nothing to hinder its being effected—Whatever ſhould be your

Lordſhip's determinations respecting the Grant to be made or the Parts to be reſerved of the Eſtates for Public uſes, we can entertain no doubt about carrying the wishes of Government into legal execution under the preſent proceedings.

All which nevertheleſs is humbly ſubmitted to your Lordſhip's conſideration.

(Signed) ALEX. GRAY, Atty. Genl.
J. WILLIAMS, Solr. Genl.

Quebec, 18th May 1790.

[At the foot of the above Paper is the following Memorandum in the hand writing of the late Honorable J. A. Panet, Eſquire.]

TRANSLATION.

Mr. Chandler, the twenty fifth June 1789 declared to Panet in preſence of Meſſrs. Coffin, Scott and Taschereau, that he had only written a Private letter to Mr. McGill, and that he Mr. Chandler had not ſent to the Commiſſioners by Mr. Lawe any Copy of the Motions or Reſolutions of the 17th June 1789.—Mr. Lawe ſaid to Panet, in preſence of Mr. Taschereau before the Barracks the 25th June 1789, at one o'Clock, that he Mr. Lawe, had left Quebec Thursday the 18th of June 1789, at four o'clock in the morning, and arrived at Montreal on Friday the 19th ditto at five o'Clock in the Evening.—That he left Montreal on Saturday the 20th of June at
o'Clock and arrived at Quebec on Tuesday at two in the morning.

GENERAL ABSTRACT of the titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.				Parts vested in His Majesty.	Observations.
A — 16	Seigniory of NOTRE DAME DES ANGES or CHARLESBOURG.	Statement of the Titles	1626 March 10th 1637 January 15th 1652 January 17th 1646 July 24th	The whole of the Seigniory as appears to us.	Confirmed by the French King to be held in Mortmain by General Diploma 12th May 1678 Article 1.
		Contents of the Seigniory.			
		Motives & consideration.	This Seigniory was granted to the Fathers of the Company of Jesus and their successors, to be by them held and enjoyed for ever as their property in *franc aleu*, with all Seigniorial and Feodal rights, on condition that appeals from the decision of the Judges whom they shall appoint over the said Seigniory, shall be to the High Steward of New France or his Lieutenant at Quebec, in consideration of the services which they have rendered as well to the French Inhabitants as to the Indians of the Country, which can never be sufficiently acknowledged.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.				Parts vested in His Majesty.	Observations.
A — 34	Seigniory of St. Gabriel or the Two Lorettes.	Statement of the Titles	1647, April 16th 1647, May 15th 1667, November 2d		
		Contents of the Seigniory.		The whole of the Seigniory as appears to us,	
		Motives & considerations.	This Seigniory was given to the Reverend Fathers of the Company of Jesus, to be held and enjoyed by them as their property and to have effect in the strongest terms, so that they should not be disturbed in any manner whatsoever or by any person whomsoever, with all advantages and prerogatives accruing therefrom, conformably with the grant thereof made by the Company of New France, to wit, as a Seigniory and with a right to hold Courts of Justice, subject to Fealty and Homage at each mutation of the possessor —It was given to the said Revd. Fathers in consideration of the great friendship which subsisted between them and the Sieur Robert Giffard and his wife, and to the end of recompensing the said Reverend Fathers for the acceptable divers acts of kindness and services by them rendered so the Donors.		Confirmed by the French King to be held in Mortmain by General Diploma, 12th May 1678, Article 16.

GENERAL ABSTRACT of the titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.				Parts vested in His Majesty.	Observations.
A — 66	Seigniory of SILLERY.	Statement of the Title.	1699 October 23rd	The whole of the Seigniory as appears to us.	The right of High Justice or *(Haute Justice)* was taken from this Seigniory by an Ordinance of Mr. Randot, Intendant, dated 22d Oct. 1707.
		Contents of the Seigniory.			
		Motives & consideration.	This Seigniory was granted to the Revd. Fathers Jesuits to hold and enjoy the same by them for ever as their property, with the same rights and privileges wherewith the said Lands had been given to the Savages by contract of the company of New France dated 15th March 1651, to wit, in *franc aleu* with all the seignioral rights which the said Company of New France had or claimed to have therein, together with the right of fishing on the River Saint Lawrence along the front of the lands so given, to the total exclusion of every other person not having their permission, together with all the meadows, grass &c. along the said River and some times covered with the Tide and at other times not so—and finally with all the rights and privileges which a Seignior can have, together with the right of superior mêsne and inferior jurisdiction.—In consideration of the great spiritual and temporal aid afforded by the said Revd. Fathers Jesuits to the Indians of that Country and of the enormous expense by them incurred in supporting the Missions of the said Savages for whom they had purchased Lands in different places at a great expense.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.				Parts vested in His Majesty.	Observations.
A — 66	Seigniory of BELAIR or BONHOMME MOUNTAIN	Statement of the Titles.	1682 November 24th 1684 April 15th 1710 August 28th 1732 May 2d 1732 May 24th 1733 January 22d 1738 May 31st 1733 February 16th 1740 January 29th 1740 May 7th 1743 February 1st	The whole of the Seigniory as appears to us.	
		Contents of the Seigniory.			
		Motives & considerations.	This Seigniory was bought by the Revd. Fathers of the Company of Jesus (with the right of superior mêsne and inferior Jurisdiction and that of hunting and fishing within the limits thereof, subject to fealty and homage) from some of the Descendants of Guillaume Bonhomme and other persons who had purchased some parts thereof from other of his Descendants.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page				Parts vested in His Majesty.	Observations.
A — 76	Seigniory of CAP DE LA MAGDELAINE.	Statement of the Title.	1651 March 20th	The whole of the Seigniory as appears to us.	
		Contents of the Seigniory.	N. B. By Diploma of 12th May 1678, Book A, Page 13, Article 21.—This Grant was confirmed by the King.		
		Motives and considerations.	This Seigniory was given to the Revd. Fathers of the Company of Jesus in Canada for their Colleges and Houses, to be by them held in the same manner as the said Lands were before that time possessed by the Donor, and to enjoy and dispose of the same by the said Fathers Jesuits and by their successors in New France as they shall think fitting for the advantage of the Indians converted to the Christian Faith, and to the end of contributing to the subsistence of the Jesuits in the said Country—the whole conformable with and according to the Customs and Constitutions of the said Company of Jesus without any Civil obligation.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.				Parts vested in His Majesty.	Observations.
A — 82	Seigniory of BATISCAN.	Statement of the Title.	1639 March 13th	The whole of the Seigniory as appears to us.	Confirmed by the French King to be held in Mortmain by Diploma, 12th May 1678, Article 20th
		Contents of the Seigniory.	N. B. The depth of this Seigniory seems to have been erroneously stated in the original Title, but it was afterwards fixed at twenty leagues, by Title under the Letter E. No. 3. by Mr. Duchesneau, Intendant of New France, bearing date the 9th February 1676, and also signed some time after by Mr. Dupuy, Intendant.—See Book A. Page 82.		
		Motives and considerations.	This Seigniory was given to the Reverend Fathers of the Company of Jesus settled in New France for them and their successors to be held as an absolute Fief with right of Superior, Mêsne and Inferior Jurisdiction and subject to Fealty and Homage to the said Jacques Delaferté and his Heirs, according to the usages and customs of Fiefs in the Prevôté of Paris—subject also to the payment of a silver cross of the value of sixty sols at the end of every twenty years to the said Jacques Delaferté and his heirs from the time that the said Lands should be cultivated.—The said Lands to be possessed by the said Fathers Jesuits, applied or assigned to the Indians or others becoming Christians, and in such manner as the said Fathers shall judge fit, so that the said Lands shall not be taken out of their hands as long as they shall think proper to hold and possess them.—This Seigniory was given for the love of God.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.				Parts vested in His Majesty.	Observations.
A — 100	Island of St. CHRISTOPHER.	Statement of the Title. Contents of the Island.	1654 October 20th This Island was given and granted unto the Reverend Fathers of the Company of Jesus in New France to be held by them in *Franc Almoigne* for ever as a Fief, with power to grant the same or such parts of it as they shall think proper to Tenants, subject to *Cens et Rentes*, but without being themselves subject to any charge or condition whatsoever—In consideration of the zeal manifested, and the care taken, by the said Reverend Fathers, and the advantage which Religion had received from them by the conversion and instruction of the Indians, which could not be sufficiently acknowledged.	The whole of the Island as appears to us.	Confirmed by the King, 12th May 1678 Article 25.
		Motives and considerations.			
A — 102.	Seigniory of LAPRAIRIE DE LA MAGDELAINE.	Statement of the Title. Contents of the Seigniory.	1647 April 1st This Seigniory was given and granted to the Religious Order of the Jesuits on condition that they should send such persons as they should think proper to cultivate the Lands, and that the Donor should have a share in the advantages of their prayers and holy sacrifices.—And in consideration of the assistance given by the said Religious Order to the Inhabitants of New France and of the dangers to which they daily exposed themselves in bringing the Savages of the Country to the knowledge of the true God.	The whole of the Seigniory as appears to us.	The Honble. Peter Panet, Esquire, informed Mr. Chandler by Letter of 18th April 1789, that he was then holder of a Constitut on this Seigniory and the Jesuits House in Montreal, of 20.000 livres tournois, secured by mortgage thereon granted by the late René Floquet Superior of the late Order of Jesuits at Montréal
		Motives and considerations.			

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.				Parts vested in His Majesty.	Observations.
A — 152	Isle aux RUAUX.	Statement of the Title.	1638 March 20th	The whole of the Island as appears to us.	
		Contents of the Island.			
		Motives & considerations.	This Island was given to the Religious Order of the Jesuits and their successors for ever to feed the Cattle for their House, in consideration of their exposing their persons to the greatest possible dangers amongst the Savages in labouring to bring them to the knowledge of the true God and to a civilized life, upon the sole condition that the said Jesuits should give an *aveu et denombrement* to the Company of New France with a statement of the culture and amelioration of that Island every twenty years.		
A — 154	Fief PACHERIGNY in the Town of Three Rivers.	Statement of the Title.	1638 March 20th		
		Contents of the Fief.			
		Motives and considerations.	This Fief was granted to the Revd. Fathers Jesuits to be by them enjoyed for ever as their property according to the Custom of Paris.—It was given them in consideration of the spiritual and temporal aid which they daily gave to the Savages of this Country, and of the great care they took and the enormous expense they incurred in supporting the Missions to the said Savages.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.			Parts vested in His Majesty.	Observations.
A — 158	FIEF near the Town of Three Rivers.	Statement of the Title. 1634 February 15th, 1637 August 29th — 475		
		Statement of transfers by the Jesuits to the Inhabitants for a Common. 1648 August 15th; Statement of Grants to the Jesuits in lieu of the above transfers. 1650 June 9th — 315		
		remained 160		
		350		
		510		
		Present contents of this Parcel. 1664 August 8th; Statement of the Title. 1637 August 26th		
		Motives and considerations. These three lots of ground were given and granted to the Revd. Fathers of the Company of Jesus in commemoration of the assistance which they had given to the Company of New France in the settlement of the Country and in consideration of there still continuing daily to expose their persons to all kinds of dangers to bring the people of New France to the knowledge of the true God and to civilize them to have and enjoy the said Land by the said Revd. Fathers of the Company of Jesus and their Society for ever, as their property under the Title of Seigniory in Mortmain, subject only to an acknowledgment to the Company of New France to be made once only, with exemption ever after from making it. The parts which they have had in Exchange from those which they have given for the Common have also been given unto them with the like Title of Seigniory.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held *en franc aleu, en Roture* and *en arrière fief*.			Parts vested in His Majesty	Observations
A — 168	*Franc aleu*, called *La Vacherie*, near Quebec.	Statement of the Titles.	1626, March 10. 1646, July 24. 1652, January 17.	The whole of this Land or *franc aleu* as appears to us.	This Grant was confirmed by the New France Company the 15th January 1637. 10 arpents of Land now called La Vacherie confirmed by the French King to be held in Mortmain by General Diploma, 12th May 1678, Art. 2 & 4.
		Transfer from the Nuns.	1667, August 29.		
		Contents.	These three Lots of Land being now joined together, compose the Farm La Vacherie, occupied by Mr. Lynd, and the Lots whereupon buildings are erected on each side of the road leading from Quebec to the General Hospital, comprized within the boundaries of this piece of ground, which have been granted away to the holders thereof by the Order of the late Jesuits, containing 75 acres square, according to the last Survey which has been made thereof by William Vondenvelden.		
		Motives and Considerations.	The two first of these Lots were granted by the Reverend Fathers of the Company of Jesus, to be held and enjoyed for ever as their property, to enable them to cause to be embraced and cultivated the Catholic Religion by the Savages of New France, who until then had no knowledge of the true God, and to the end that the said Revd. Fathers of the Society and Company of Jesus might always be at hand, to make use of their accustomed piety, industry, knowledge and experience.		

GENERAL ABSTRACT Titles of the titles to the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held en *franc aleu, en Roture et en arrière fief.*			Parts vested in His Majesty	Observations
A — 170	*Franc aleu roturier* in the Parish of St. Nicolas near Quebec on the south side of the River Saint Lawrence.	Statement of Title.	1739, October 20.	The whole as appears to us.	
		Contents.			
		Motives and considerations.	This Lot of Land was conveyed to the said Reverend Fathers Jesuits to be by them enjoyed in full property, together with the *Cens et Rentes* which shall be due by the Tenants from the date of the conveyance, and all the rights which belong to the said Seminary without reserve, in consideration of the said Cession by the Jesuits made of all their rights and claims in the Island Jesus to the said Seminary.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held *en franc aleu, en Roture et en arrière fief.*			Parts vested in His Majesty.	Observations.
174	Land *en roture*, at Point Levy, in the Seigniory of Lauzon on the south side of the River St. Lawrence, opposite Quebec.	Statement of Title.	1648, August 1.		
		Contents.			
		Motives and considerations.	It was given on condition that the said Fathers of the Company of Jesus would cause it to be cleared and cultivated, and that the Jesuits should hold it in simple Roture and subject to such other conditions as the Company of New France should think proper to impose.	The whole as appears to us.	
174	Land held in *Franc Almoigne* and pure *roture* joining the above.	Statement of Title.			
		Contents.			
		Motives and considerations.	This Lot of Land was given to the Reverend Fathers of the Company of Jesus, to be held in *Franc Almoigne* and simple Roture, without any other condition than that of clearing the Lands and furnishing the necessary Highways, in consideration that the said Reverend Fathers of the Company of Jesus have evinced their desire to make every effort for providing spiritual assistance to the Inhabitants of the said Seigniory.	The whole as appears to us.	Confirmed by the French King to be held in *Mortmain* by General Diploma 12th May 1678, Art. 13, 14, 15.
174	*Arrière Fief* at Pointe Levy joining the preceding.	Statement of Title.	1653, November 15.		
		Contents.			
		Motives and considerations.	This Land was conveyed to the Reverend Fathers, to be by them and their successors held for ever in Mortmain, with all the rights which the said Seignior had therein, except that of holding Courts of Justice, for and in consideration of the sum of One Thousand Livres then paid by the said Revd. Father François de Mercier to the said Mr. De Lauzon.	The whole as appears to us.	
174	Land *en Roture* joining the rear of the two preceding at Pointe Levy.	Statement of Title.	1676, January 20.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held in *en franc aleu, en Roture et en arrière fief.*			Parts vested in His Majesty.	Observations.
A — 174	Land *en Roture* joining the rear of the two preceding at Point Levi.	Motives and consid era.. tions.	This Land was given to the Revd. Father Dablon, to be holden by him and his Successors and Assigns for ever, paying annually eleven sols as rent and eleven farthings as *cens* to the proprietor of the said Fief, and on condition of sending all the grain coming from the said Land, to be ground at the Banal Mill of the said Seigniory when there shall be one, and pay the toll thereof. At the foot of this Contract appears another Contract passed before the same Notary, dated 29th September 1676, between the said Mr. de la Martinière, as Tutor of the Minors Lauzon, on the one part, and the Revd. Father William Mathieu, Priest of the said Religious Order of the Jesuits, and Agent for the temporal affairs of the Missions of the Company of Jesus of the College of Quebec, importing that although it be stated in the preceding Contract that the said Fathers Jesuits were bound and obliged to send all the grain, which should be raised upon the Land then granted by Mr. de la Martinière, to the Banal Mill of the said Seigniory as above mentioned, the truth was that at that time it was understood, as it still is, that it was only in respect of such part as should be consumed upon the said Land, and that the said Fathers of the Company of Jesus, should be at liberty to dispose of the remainder of the said grain, in such manner as they should think proper, any other Contract notwithstanding.	The whole as appears to us.	Confirmed by the French King to be held in *Mortmain* by General Diploma 12th May 1678, Art. 27.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held *en franc aleu, en Roture et en arrière fief.*			Lands vested in His Majesty.	Observations.
A — 178	*Franc aleu en Roture à Tadoussac.*	Statement of Title.	1656, July 1.	The whole as appears to us.	Confirmed by the French King to be held in *Mortmain* by General Diploma 12th May 1678, Art. 5.
		Contents.			
		Motives and considerations.	This Ground was given to the said Revd. Fathers, to be by them, their Successors and Assigns enjoyed for ever, without any incumbrance, in the intention of erecting a Chapel and such other buildings as they should think necessary.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held *en Franc aleu, en Roture et en arrière fief.*			Lands vested in His Majesty.	Observations.
A — 180		Statement of Title.	1637, March 18. 1652, January 17.		
		Contents.			
		Transfer.	1646, July 24.		
A — 180	*Franc aleu* in the Upper Town of Quebec.	Motives and considerations.	This is the Original Concession made to the Revd. Fathers of the Company of Jesus and their Successors for ever, to hold and enjoy the same in full property, to build their College, Seminary, Church, and Lodgings and Appurtenances, without any other charge than that of holding the said Ground as well as their Successors from the Company of New France, & to comprize in the *aveu et dénombrement*, which they are bound to furnish to the said Company of New	The whole as appears to us—viz. 6 arpents 42 perches.	Six arpents only confirmed by the French King to be held in *Mortmain* by General Diploma, 12th May 1678, Art. 3.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held *en Franc aleu, en Roture et en arrière fief.*			Parts vested in His Majesty.	Observations.
A — 180	*Franc aleu* in the Upper Town of Quebec.	Motives and considerations.	France for the other Lands, which have been heretofore granted by the General Assembly of the said Company of New France, the 15th January then next last past. But by the Grant to them made by Mr. De Lauzon, Governor of this Country, this Lot was given to the Revd. Fathers of the Company of Jesus, to be held in Mortmain without any other condition nor charge. The motives and consideration expressed in this Contract are in these terms: (after having mentioned two other objects, that is to say, Charlesbourg and La Vacherie, which had been granted by the Company of New France, and which are also confirmed and granted by this Contract) twelve arpents for the Lot of their College. We have seen the said Grants, &c. putting into possession, and boundaries fixed so far back as the 24th July 1646, and 16th July 1648, and having taken into consideration that the services which the said Revd. Fathers Jesuits render in the country, as well to the French Inhabitants as to the Savages, cannot be too highly acknowledged, having down to the present time employed themselves at the risk of their lives in the conversion of the Savages, even contributed powerfully to the settlement of the Colony, exercising daily charity, as well to the French Inhabitants as to the Savages, and moreover that by their Constitution they cannot accept any foundation which obliges them to any charges other than those, to which according to their Institution and their Vows they voluntarily bind themselves, and of which they acquit themselves so worthily, that it is not just to compel them to it nor civil to stipulate it from them.	The whole as appears to us—viz. 6 arpents 42 perches.	Six arpents only confirmed by the French King to be held in *Mortmain* by General Diploma, 12th May 1678, Art. 3.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held *en Franc aleu, en Roture et en arrière fief.*			Parts vested in His Majesty.	Observations.
		Statement of Title.	1663 February 19th.		
		Contents. Motives and considerations.	On condition that the said Jesuits should pay in future the *Cens* and *Rentes* to which the said lot was liable to the Company of New France, and also for and in consideration of the sum of one hundred Livres *Turnois*, which were then paid by the said Jesuits.	The whole as appears to us.	Confirmed by the French King by General Diploma 12th May 1678, Art. 6, to be held in *Mortmain*.
		Statement of Title.	1664 Septr. 3d.		
		Contents.			
A — 182	Lands *en Roture* in the Upper Town of Quebec.	Motives and considerations.	To be by the said Revd. Fathers Jesuits their Successors and Assigns, held and enjoyed subject to such Rents and *Cens*, as might thence-forward be due to the said Company of New-France, and on condition of the sum of two hundred Livres Tournois, which the said Widow Macart, had received from the Revd. Father Claude Dablon, in the presence of the said Notary.	The whole as appears to us.	Confirmed by the French King to be held in *Mortmain* by General Diploma 12th May 1678, Art. 7.
			N. B.—These four last Arpens were taken from the Jesuits in 1712, by Mr. De Beaucour, then Engineer in this Country, and the Royal Redoubt was built thereupon in that year and the remainder used as a Parade.		
		Transfer.	1771 May 1st.		
			N. B.—There is a manifest contradiction in this Contract, to wit: in one part it fixes the boundary which was to separate the grounds of the parties for ever—beginning at the corner of St. Anne Street, and running in a parallel line (without saying to what Line) and		Query. Had the late Order of Jesuits a righ to make this Transfer.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held *en Franc aleu, en Roture et en arrière fief*			Parts vested in His Majesty.	Observations.
			terminating at the other end by a line which crosses it running in the same direction as the Dauphin Barracks (without expressing to which side or to what part, whether in the front or the depth) in another part it fixes the line of separation, to wit: that the Garden Wall of the Jesuits and the Street along it shall for the future be for ever considered as separating the ground of the parties.		
A — 182	Lands *en Roture* in the Upper Town of Quebec.	Transfer.	1788 April 24th. N. B.—The first of the Contracts fixes the line in front of the Ground assigned to the Nuns by the Jesuits, beginning at the corner of St. Anne Street, where the North Eastern Boundary Line of the Nuns' Ground intersects the said Street, and thence running in a line parallel to a line which runs in the same direction as the Dauphin Barracks: whilst the second contract fixes the Boundary line, beginning from the said Point in St. Anne Street, along the said Street, as it runs in the same direction with the Southern Gable end of the Dauphin Barracks, and thence to the Walls and fortifications of the City, and that the land situate on each side of that street, from the said first Point in St. Anne Street to the Walls of the fortifications, shall belong on the one side to the said Nuns and on the other side to the Jesuits for ever and in full property, mutually renouncing all claims to the Grants and sale which they might have made.—It is necessary here to observe that by the first Contract no changes were to be made, & the said first Contract terminated the line of separation by an intersection of the said line running to the Dauphin's Barracks, which would have been only a small space of		Query: Had the late Order of Jesuits a right to make this Transfer?

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held *en Franc aleu, en Roture et en arrière fief.*			Parts vested in His Majesty.	Observations.
A — 182	Lands *en Roture* in the Upper Town of Quebec.	Transfers.	Ground, whilst the last Deed comprises a much more considerable extent of Ground.—It is necessary also to remark that the two Arpens of Land bought by the Jesuits from Guillaume Couillard and his wife, and the two other arpens acquired by them from the Widow Macart, were adjoining on one side to the enclosure of the Jesuits, and on the other to that of the Ursulines, and that the said Jesuits having held and enjoyed the two first mentioned Arpens from 1667, and the two others from 1664, with out any interruption or claim on the part of the Ursulines to the year 1712, when M. De Beaucour Engineer, took the said four *Arpens*, with the intention of erecting thereupon the Royal Redoubt, which was there erected in the same year, and the remainder was left for a Parade in front of the said Redoubt—Father Glapion informed Mr. Chandler a few days ago that the four Arpens thus taken by the said Engineer in 1712, were the same which had been purchased by the Jesuits in different parcels in the years 1664 and 1667, from the said Couillard and his wife, and the said Widow Macart, and in truth they must be the same because the Jesuits have never possessed other lands in that neighbourhood joining in part their enclosure and in part that of the Ursulines.—Thus those lands by them sold did not belong unto them, and have not been in their possession since 1712, when they were as aforesaid taken for the use of the King of whom they became the property and then fell to the King of Great Britain by the treaty of Peace of 1763, & there are the strongest reasons to doubt whether the Ground lying between the said Redoubt and the Wall of the Fortifications between St. John and St. Louis Streets, which was so given by the Jesuits to the Ursulines by the Deed of compromise of the 24th April 1788, ever belonged to the		Query: Had the late Order of Jesuits any right to make this Transfer?

Book & Page	Lands held *en Franc aleu, en Roture et en arrière fief.*			Parts vested in His Majesty.	Observations.
A — 182	Land *en Roture* in the Upper Town of Quebec.	Transfer. 1667, May 9,	Jesuits.—That on the contrary there is every kind of reason to presume that the Ground comprised within the lines described in the said Deed of compromise, that is to say, the enclosure of the Ursulines on the one side, and a line running in the direction of the Southern Gable End of the Royal Redoubt, which was then used as a Prison, is now and always has been the Property and in the Possession of the Crown, that is to say, the part of the said Ground which extends from the said Royal Redoubt to the Walls of the Fortifications of the City, between St. Louis and St. John's Gates, became the only Ground in that neighbourhood which is found to have belonged to the Jesuits, by contracts either in the Archives or in the Registers of the Province, are the eight Arpens Square which they obtained by the Exchange of the 9th May 1667, from Marie Guillement Hebert, Widow of Guillaume Couillard, extending in front (according to the *aveu et dénombrement*, by them given in 1733) from the piece of Ground to them granted by the Company of New France, which is situated out of their enclosure to wit. from St. Stanislaus Street, to the corner of the lot of Mr. Poncet, which is of considerable extent, it cannot therefore be extended far enough in the rear to form the said eight Arpents in superficies—It is besides to be observed, that the two Deeds of compromise are not only contrary the one to the other as to the limits, bounds, and quantity of land, but that each of these Deeds contradicts itself.		Had the late Order of Jesuits a right to make this Transfer?
				The whole as appears to us.	Confirmed by the French King by General Diploma, 12th May 1678, Art. 8.

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page	Lands held *en Franc aleu, en Roture et en arrière fief.*			Parts vested in His Majesty.	Observations.
A — 182	Lands *en Roture* in the Upper Town of Quebec.	Contents.	This land was assigned by the said Widow of Guillaume Couillard, to the said Revd. Father Dablon, for the said Revd. Fathers Jesuits, to be by them their Successors and Assigns held and enjoyed and to be by them disposed of as they should think proper, in Exchange for a farm of two Arpens in front by thirty Arpens in depth in the Seigniory of Notre Dame des Anges, having its front on the River St. Charles, which they this day bought from Pierre Pellerin de St. Aimant and Louise Amoreau his wife, the two parties binding themselves respectively to pay from this day the Cens et Rentes, and Seignioral dues to which the exchanged Lots of Land are liable.	The whole as appears to us.	Confirmed by the French King to be held in *Mortmain* by General Diploma 12th May 1678, Art. 8.
		Motives and considerations.			
		Statement of Title.	1666 April 21st.		
A — 182	*Franc aleu* in the Upper Town of Quebec.	Contents.	This lot was granted to the Revd. Fathers and their Successors for ever as their entire Property, to enlarge their Church or build a new one, on condition however that if they should build a new Church they would leave a road of sixteen feet along such new Church.	The whole as appears to us.	Confirmed by the French King to be held in *Mortmain* by General Diploma 12th May 1678, Art. 11.
		Motives and considerations.			
		Statement of Title.	1666 May 8th.		
A — 182	*Franc aleu* in the Upper Town of Quebec.	Contents.			
		Motives and considerations.	This lot was given to the Revd. Fathers Jesuits to be held and enjoyed by them and their Successors and Assigns for ever, to enlarge the public Highway along the Church, which it was their intention to build in that place.	The whole as appears to us.	Confirmed by the French King to be held in *Mortmain* by General Diploma 12th May 1678, Art. 9.
		Statement of Title.	1668 May 14th.		
A — 182	Lands *en Roture* in the Suburbs of Quebec, outside Palace Gate.	Contents.			

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec

Book & Page.				Parts vested in His Majesty.	Observations.
A — 182	Lands in *Roturier* in the Suburbs of Quebec, outside Palace Gate.	Motives and considerations.	This ground was sold to the said Jesuits of the College of Quebec their successors and assigns, to be held, enjoyed and disposed of as they should think fit, on condition of paying from the day of the sale an annual rent of five livres four sols in money, two live Capons and sixteen farthings for *cens*, wherewith the said ground was charged in favour of the Widow Couillard, and for and in consideration of the sum of four hundred livres Tournois paid to the said Rajeot and his wife by the said Jesuits. By a contract passed before the said Notary between the Jesuits and the Widow Couillard, she agreed to extinguish the said rent of five livres, four sols and two live Capons, which they were to pay her according to the said Contract in consideration of a sum of two hundred livres Tournois which they paid her in presence of the said Notary.	The whole as appears to us.	Confirmed by the French King to be held in mortmain by Diploma 12th. May 1678, art. 9.
		Statement of Title.	1680 June 8th.		
A — 184	Lands en *Roture* in the Upper Town of Quebec.	Contents.	This ground was sold to the Revd. Fathers of the Company of Jesuits of the College of Quebec, to be held and enjoyed by them their successors and assigns, and disposed of in such manner as they should please subject to such *cens* as it may be liable to, payable at the Domain of Quebec, for and in consideration of the sum of three hundred and ten livres which the vendor acknowledged to have received before the execution of the contract. N. B. By contract passed before the same Notary on the said 8th day of June 1680, Françoise Duquet Widow of the said Olivier Morel de la Durantaie, agreed to and ratified the sale made by her said husband.	The whole as appears to us.	
		Motives and considerations.			
		Statement of Tittle.	1691 October 1st.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesnits in the Province of Quebec.

Book & Page				Part vested in His Majesty.	Observations.
A — 184	Lands in *Roture* in the Upper Town of Quebec.	Motives and considerations.	This ground was sold to the Rev. Fathers of the Company of Jesus, to hold and enjoy, do with and dispose thereof in future as their property for and in consideration of 350 livres and fifteen sols in coin by them then paid to the vendors as appears by this contract.		
		Statement of Title. Contents.	1661 June 10.		
A — 184	Lands in *Roture* conceded by the Fabrique of the Parish of Quebec.	Motives and considerations.	This ground was granted for & in consideration of an annual rent of two sols for every perch payable by the Rev. Fathers the Jesuits to the Fabrique of the Parish of Quebec, making the sum of seven livres of annual ground rent not redeemable, and one sol for every perch because that ground falls into Mortmain so that it cannot produce mutation fines (*Lods et Ventes*) the whole making ten livres ten sols.	The whole as appears to us.	
		Statement of Title. Contents.	1663 Jany. 27.		
A — 184		Motives and considerations.	This ground was granted to the Rev. Fathers the Jesuits charged with two sols of ground rent not redeemable, for every perch, and one sol for every perch in consideration of its falling into that Mortmain, and consequently not producing any mutation fines *(lods et ventes)* making in the whole four livres, four coppers payable annually by the said Revd. Fathers the Jesuits to the Fabrique of the Parish of Quebec.	The whole as appears to us.	
		Statement of Title.	1666 May 12.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec

GENERAL ABSTRACT of the Title of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page				Parts vested in His Majesty.	Observations.
A — 184	Lands en Roture conceded by the Fabrique of the Parish of Quebec.	Contents. Motives and considerations.	To enjoy do with and dispose of by the said Revd. Fathers Jesuits in the manner they shall think most proper, subject to the payment of an annual ground rent not redeemable of two sols for every perch, and one sol for every perch in consideration that the said ground falls into Mortmain, and cannot produce any mutation fines, the whole making a rent of thirty-three sols and eleven farthings annually payable by the said Jesuits to the said Fabrique of the Parish of Quebec.	The whole as appears to us.	
A — 178	Lands en *Roture* in the Town of Three Rivers.	Statement of the Title. Contents. Motives and considerations.	1651, June 5. To be enjoyed by the said Revd. Fathers Jesuits and their assigns for ever in pure Roture on condition that they will build thereupon, and enclose as well it as their Village, with good pickets in such manner as shall be ordered by the Governor of this Country within one year from the date of the grant, which in default thereof was to be null, and further that they would cause this grant to be confirmed by the Company. N. B. It does not appear by any paper that the conditions of this Contract were ever fulfilled, nor that it was ever confirmed, and Mr. Coffin, one of the Commissioners has never been able notwithstanding all his researches on the subject to obtain any light respecting this *arpent en Roture*, but he found in the place pointed out by the contract a space of vacant ground and a square opposite the Church *Notre Dame*, which he was told belonged to the King, and a piece of ground in the possession of John M'Pherson, containing 7070 feet held by the Jesuits by several of his predecessors from time immemorial subject to one livre ten sols of *cens et rentes*.		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec

Book & Page.				Arpents.	Perches.	Feet.	Parts vested in His Majesty.	Observations.
A — 196	Lands en *Roture* in and near the City of Montreal.	Statement of the Title.	No. 1.					
		Contents.		4	11	276	These 4 arpents 11 Perches 276 feet as appears to us.	
		Contents.	No. 2.	4	11	276		
		Statement of transfer.	1764 May 5.	8	0	0	These arpents as far as they relate to the Little River as appears to us, the remainder having been transferred by the Jesuits in 1764.	
		Contents,		2	50	0	These 2 arpents, 50 perches as appears to us.	Query. Had the Jesuits a right to make this Transaction at the time it was made?
		Statement of the Title.	No. 3.	1	0	0	This one arpent as appears to us.	
		Contents,						
		Statement of the Tranfer.	No. 4.					Query. Had the Jesuits a right to make this Transport at the time it was made?
		Statement of the Title.						
		Contents,						
		Statement of the Title.	No. 5.					Query. Had the Jesuits a right to make this Transfer at the time it was made?
		Contents.						
		Statement of the Title,						

Book & Page				Parts vested in His Majesty.	Observations.
			Arpents. Perches. Feet.		Query continued.
A — 196	Lands in *Roture* in and near the City of Montreal.	Statement of the Title. Contents.	No. 6. 47, 272	These 47 Perches 272 feet as appears to us.	
		Motives and considerations.	These several pieces of ground No. 1 to 6, were sold to the said Revd. Father, Claude Dablon, Superior, of the Revd. Fathers of the company of Jesus, settled at Quebec in his said quality of Superior, and his assigns, to be by them held and enjoyed in such manner as they should think proper, subject to fifty-eight sols annually, towards the Seigniors of the Island of Montreal, and other charges, for which the said lands are liable according to their respective Title Deeds, as to an annual rent of fifty livres nineteen coppers, to which the said lands, were subject in favour of the Fabrique of Montreal for the keeping up of a perpetual lamp ; the vendors bound themselves to purchase that rent and furnish a discharge therefrom to the Rev. Father Dablon, at the period of the last payment to be made of the price of the said piece of ground,—These lands were sold for and in consideration of the sum of 8200 livres whereof 4200 were paid at the time of the passing of the contract and the other 4000 livres payable before the departure of the ships in the following year, acquittance for which sum was also given by the vendors the 20th September 1692 by a Deed passed before Basset, Notary, and the Rev. Father Vaillant by the said Instrument acknowledges to have received a contract passed		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page				Parts vested in His Majesty.	Observations.
A — 196	Lands in *Roture* in and near the City of Montreal.	Motives and considerations.	before Adhemar, Notary, the 13th of the same month which discharges the said Lands for ever from the said rent of 50 livres 19 sols wherewith they were charged for the keeping up of a lamp. The three lots of ground above conveyed by the Revd. Father Floquet were sold subject to *cens & rentes* and other Seigniorial dues payable to the Seigniory of the Island of Montreal. and for and in consideration of the sum of 3000 livres which he acknowledges to have received from the said Chas. Plessis Belair, provided that he the said purchaser should pay an annual rent or annuity of five hundred livres to the Brother & Father Gournay, Jesuit, residing in the community of Jesuits in the Town of Montreal during the life of the said Father Gournay, the said annuity to cease and be extinguished from the moment of his death, which happened in December 1767. N. B. The grounds belonging to the Jesuits at Montreal consist in three arpents 68 perches and a third in superficies enclosed by a wall, and on which are erected their Church, Chapel, Houses and Offices, as they are designated upon the plan between the letters A, B, C, D, E, F, G—two house lots adjoining the western extremity of them enclosed, one ditto adjoining the north eastern angle (these three house lots are colored blue upon the Plan and one vacant lot adjoining the last.) The remainder consists in part of the ground occupied by the Walls and Fortifications, and the *Champ de Mars* or Parade situated between the said Walls and the enclosure of the Jesuits, and the remainder outside of the Walls and Fortifications of the Town, and thence running backwards in part to the line, H, L, two arpents, and in part to the line run-		

Book & Page				Parts vested in His Majesty	Observations.
A — 192	Lands in *franc aleu* at Miamis.	Statement of the Title. Contents.	ning on the brink of the Little River *des fonds* one arpent. 1681 May 24. To be held and enjoyed by the said Pierre Dublon and others, Missionaries, and their successors and assigns for ever as their property, without paying any charge or indemnity to His Majesty or his successor, to build a Chapel House and to reap Wheat. N. B. Messrs. M'Gill, St. Ours, and Rouville, three of the Commissioners, resident at Montreal, having been required by a letter from Mr. Chandler to obtain information from the Fur Traders at Montreal upon the subject of this land and other objects in the Upper Country, they answered by a letter of the 9th March 1789 in these words, "and first upon the subject of the grant of 24th May 1689 of a piece of ground on the River St. Joseph, we have learnt from a person here who has resided there several years, that the Jesuits had in a stockaded Fort belonging to the King of France, a Church, House, and Garden which are now in ruin, probably occupied by Traders, but which are not leased by the Jesuits and which produce no income."	The whole as appears to us.	
		Motives and considerations.			

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec

Book & Page.	Lands granted to, possessed and aliened by the Jesuits.			Parts vested in His Majesty.	Observations.
A — 204	ISLAND OF JESUS.	Statement of the Title, Statement of Transfer, Motives and considerations,	1636 Jany. 15. 1672 November 7. In consideration that the said François Berthelot binds himself to cause to be discharged the Father Dablon from such sums as he might then owe by reason of the said Island to the Royal Company of the Indies then Seigniors of this Country.		
		Statement of the Title, Contents, Motives and considerations,	1674 March 20. To be held and enjoyed by them their successors and assigns in property subject to pay a Gold Crown in acknowledgement at the end of every ten years to the said Berthelot and his successors.		This league of land on the Island of Jesus was confirmed by the French King to be held in Mortmain, 12th May 1679, Art. 28.
		Statement of Transfer, Statement of the Title, Contents.	1739 October 20. 1680 May 29.		
A — 207	FALLS OF SAINT LEWIS.		This lot of land was given to the Jesuits in consequence of the representation which they made to His Majesty, that the lands of La Prairie de la Magdelaine were too moist to raise grain for the subsistence of the *Iroquois* there settled, and that there was reason to fear that they would go away if His Majesty would not give them the lands called the *Sault*—This concession contains a clause or provision that if the Savages think it proper to leave these lands they shall revert to His Majesty with the clearings.		R

GENERAL AESTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.				Parts vested in His Majesty.	Observations.
A — 207	FALLS of ST. LOUIS.	Statement of the Title, Contents, Motives and considerations,	1680 October 31. To be held and enjoyed by the said Revd. Fathers of the Company of Jesus on the same conditions as are expressed in the grant of the Sault St. Louis by his Majesty the better to enable the said Fathers to continue their efforts for the conversion of the Iroquois and other Savages.		
		Statement of Transfer,	1792 March 22.		
		Statement of the Title,	1689 October 14.		
A — 210	Lands of the Coast of LAUZON S. W. of River St. Lawrence.	Contents & explanation.			
		Statement of the Title,	1655 April 4.		
A — 211	Ground in the LOWER TOWN of Quebec.	Statement of Transfer,			
		Statement of the Title,	1683 September 16.		
		Contents, Motives and considerations.	This ground was given to the Revd. Fathers of the Company of Jesus to be held and enjoyed by them their successors and assigns for ever in *Franc almoigne* and in Mortmain and to do with and dispose of as they shall think proper, on condition that they should contribute to the expenses of the building of a wall of 72		

GENERAL ABSTRACT of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec.

Book & Page.				Parts vested in His Majesty.	Observations.
			feet in length to support the terrace of the new battery whither the cannons have been removed.		
—		Statement of the Title. Contents. Motives and considerations.	1685 May 13. This lot was given to the Revd. Fathers of the company of Jesus, their successors and assigns to be held & enjoyed by them for ever in *Franc almoigne* and in Mortmain, to do with and dispose of as they shall think fit and as their property.		
A — 211	Ground in the LOWER TOWN of Quebec.	Statement of Transfer.	1713 April 24. N. B. It was a precaution which any prudent man purchasing lands in *Franc aleu* and in Mortmain would not have omitted, because such a sale was null in Law a circumstance against which provision could be made only by a counter security.		

TO HIS EXCELLENCY, &c.

Provisional Report of the Commissioners, &c.

We the majority of the Commissioners assembled at Quebec, unanimously Report to your Excellency, that we have found and caused to be issued the principal Titles of the Fiefs and other immoveables held by the Religious men, known by the name of the Order of Jesuits in this Province, and that we are ready to commence the *Papier Terrier* of the said Fiefs and immoveables, to arrive at a determination of the points contained in the said Commission, but that we cannot do this until previously a Proclamation equivalent to Letters of *Papier Terrier* shall have been issued, enjoining in the name of His Majesty all persons holding *fiefs*, *arriere fiefs*, all Tenants *en Roture*, and all other debtors of rents or by reason of immoveables to the said Religious order, to appear within a period to be therein fixed and declare Fealty and Homage, the *aveux dénombrements* or the Seigniorial *Cens et rentes* or constituted Rents and other real incumbrances wherewith they are charged according to their Titles which they shall exhibit according to the Laws and Customs of this Province and under the penalties therein contained.

We conceive that the Reasons which follow shew the necessity of the said Proclamation.

1st. The Commission addressed to us enjoins us to proceed without delay and in due form of Law.

2d. The Laws and Customs of Fiefs and immoveables in this Province, re-established or maintained by the Statutes 14 Geo III. cap. 83 and cap. 88, do not grant those fiefs and immoveables otherwise than according to the Laws such as they were in use before the conquest.

3d. According to those Laws and Customs, it is the King alone who has the right to issue and publish Letters of *Papier Terrier*, vide Ferriere Dict. *de droit*, or his introduction *verbo Papier Terrier*.

4th. Without a Proclamation equivalent to these Letters of *Papier Terrier* the Vassals and Tenants would not be legally bound nor notified, nor exact in coming to declare and exhibit all their Titles. A multitude of refusals, difficulties and delays would result therefrom.

5thly. and lastly—: Since the Conquest and more particularly in the year 1777 and following years, His Majesty's Governors in this Province have published several Proclamations for the *Papier Terrier* of the Domaine.

We conclude this provisional Report by humbly submitting to your Lordship the above reasons for the obtaining of the said Proclamation or such other means as Your Lordship will be pleased to grant.

To His Excellency the Right Honorable GUY, Lord DORCHESTER, &c.

SECOND PROVISIONAL REPORT of the Commissioners named by Letters Patent of the 29th December 1789, to enquire into the immoveables heretofore held possessed and claimed by a certain Community known by the name of the Order of the Jesuits in the Province of Quebec.

We the undersigned, Kenelm Chandler, Thomas Scott, John Coffin Senr., Gabriel Elzeard Taschereau, John Anthony Panet, George Lawe, James M'Gill, Quinson de St. Ours and Jean Hertel de Rouville, Esquires, Commissioners to make enquiry of the said immoveables in obedience to the Order of Your Excellency, of the 24th of the present month, which enjoins us to comply with the Report of the Committee of the whole Council of the 22d of the present month containing,—

"That it is expedient that we should be required to make as soon as "possible a Report to your Excellency."

1st.—To what extent we have up to the present time been able to execute the trust confided to us?

2d.—What remains to be done to fulfil it?

3d.—What obstacles are encountered?

4th.—And by what means we conceive these obstacles may be surmounted and the intention of the said Commission accomplished.

We humbly make to your Excellency the Second Report which we consider as the first provisional one, and submit most respectfully that we believe that we have proceeded in due form of Law, and without delay, as the said Commission expressly requires and as our deliberations and resolutions contained in the Book A, whereof a certified Copy is hereunto annexed, establish.

We ask the liberty of now establishing the material points contained in the present Report in following the order of the four questions stated by the said Report of the Council.

Upon the first question—To what extent we have up to the present time been able to execute the trust confided to us?

We have most attentively considered all the points which the said Commission requires us to ascertain in due form of Law, and as soon as possible, and we establish to what point we have been able up to the present moment to execute the trust confided to us by it, comparing in the margin each point proposed by the said Commission with the Report which we place along side it, as far as it is possible for us to do, at present reserving it to us to point out upon the fourth question the means of better fulfilling the intentions of the said Commission.

1st. Point of the Commission.—What were the lands and property held possessed and claimed by the said Order of Jesuits?

REPORT.

We have obtained from the most Revd. Father Augustin Louis de Glapion, Superior of the Jesuits in this Province, and the Revd. Father Jean Joseph Casot, Agent for the College of Quebec, who voluntarily

communicated to us all the Original Titles and others of the immoveables, in virtue whereof the said Community known by the name of the Order of the Jesuits in this Province held, possessed and claimed them, as the Reports Nos. 1, 2, 3 and 4, ascertain them, of which Titles an authentic Copy is contained in the Books Nos. 1 and 2, intituled, "*Title Deeds Jesuits' Estates.*"

And we observe that although down to the present time it would appear that we have a Copy of all the original Titles, yet probably some others would be found in proceeding to the *Papier Terrier*, whereupon we shall speak hereafter.

2d. Point—How and in what manner acquired?

REPORT.

We find that the said Community heretofore known by the name of the Order of the Jesuits in the Province of Quebec demanded and obtained by grant, acquisition, or exchange, for the motives and for the considerations contained in each Title, whereof the said Reports Nos. 1, 2, 3 and 4, are an analysis for each property, but that the grants acquisitions or exchanges regularly, not being valid in mortmain according to the Laws of the Country before the Conquest, without Letters of Amortization which are required to contain their considerations and conditions, they obtained from His Most Christian Majesty for the greater part of their Estates a Diploma in the form of Letters Patent of the 12th May 1678, duly enregistered in the Sovereign Council of Quebec, whereof an Authentic Copy is to be found in the Book, intituled, "*Title Deeds, Jesuits' Estates,*" Vol. 1, Page 1, which Diploma in referring to the Original Title of each amortized Estate provides in the following words—"For these causes, wishing to treat the Memorialists favourably, "to contribute as much as shall be possible to us to the greater Glory "of God and the Establishment of the Catholic Apostolic and Roman "Religion in the Country of Canada, and to oblige them to continue "their prayers for our prosperity and health, and the preservation of this "State. We, of our especial Grace, full Power and Royal Authority "have approved, confirmed and amortized, &c."

3d. Point.—What are the parts or portions thereof which have been by them alienated or exchanged?

REPORT.

We report, that the parts or portions of the Estates anciently belonging to the Jesuits alienated and exchanged are ascertained by the Report No. 2 p. 1 & *Seq.* And to be convinced that the Jesuits, more particularly since the Conquest, have not alienated or exchanged the whole or any parts of their Estates of which we have Copies of the ancient Titles, it would be necessary lawfully to command the subjects of His Majesty to declare formally in writing, within a sufficient and peremptory delay, those who had acquired the whole or a part of the Estates heretofore held, possessed or claimed by the said order of Jesuits in this Pro-

vince, and to produce the titles or claims which those subjects or any of them pretend to have thereto, and we shall propose the means of doing this upon the fourth Query.

4th. What are the parts or portions thereof wherewith His Majesty is now vested, and which His Majesty may give and grant in the manner prayed for by the said Lord Amherst his heirs or assigns ?

REPORT.

We find as to the effectual and actual possession, that immediately after the Conquest a part of the College of Quebec was occupied by the provisions of the King to 1776, and that down to the present time the troops of His Majesty in Garrison at Quebec, occupy as Barracks since 1776 the greater part of the said College built in the Upper Town, and that the said Revd. Fathers De Glapion and Casot occupy the remainder of the said College and the Church of their Order, and that it is a matter of public notoriety in this Province, that the Revd. Fathers De Glapion and Casot received the Revenues arising from mutation Fines, *(Cens et Rentes)* profits of the Mills and of the Ground Rents due in respect of Lands situate in the District of Quebec which they cause also to be received from a part of the Fief St. Gabriel and from the Mill of La Jeune Lorette by the Revd. Father Giroux, Jesuit, Missionary, for keeping up the College of Quebec, the Church and Mission of La Jeune Lorette for the Village of the Hurons. That the Revd. Father Welle occupies a part of the House built at Montreal for the Mission established at the said place, and the remainder is occupied by the Government as a Prison in civil matters, and that the said Revd. Father Welle collects the *Cens et rentes*, mutation fines, profits arising from Mills and from Ground rents, and other rents due from or in respect of Lands situate in the District of Montreal.

That with respect to the parts or portions of the said Estates wherewith His Majesty is now vested and which His Majesty can give and grant in the manner prayed for by Jeffery Lord Amherst his Heirs and Assigns, we do not think we shall be in a condition to report thereupon, until after the subjects of His Majesty who may have certain rights of enjoyment of property, incumbrances, servitudes or indemnities, either by reason of foundations of succession, of purchase or otherwise have been commanded to make within a sufficient delay their formal declaration and to produce the titles and proofs which they may have to support them, and we will propose the means upon the fourth Query.

And that there is no doubt that His Majesty has his right of sovereignty by reason of the Conquest of this Country over all the said Estates of the Jesuits as over those of His Majesty's Canadian Subjects, but that to report upon a point of so much importance as the determining what His Majesty can give and grant of the said Estates, in the manner demanded by Jeffery Lord Amherst his heirs and assigns, it would be

requisite in the first instance to ascertain all the points of the said Commission, to the end that the claims whereof we have just spoken be carefully examined and considered with or by the rights of His Majesty to know the pure and simple property and possession. And we shall also propose the means thereof on the fourth Query.

5th. The nature and quality of the said Lands.

6th. The nature of the Titles in virtue whereof they are now held.

7th. The present value.

8th. The nature and extent of the Seignioral rights,

9th. The nature of the Grants in virtue whereof the possessors hold them.

10th. Their exact local situation.

11th. The state of Cultivation and their population.

We have taken into our serious consideration the manner of ascertaining all these points :—so far back as the 14th February 1788, as appears by our Resolve in the Book A. page 22, which nominates unanimously Messrs. Taschereau, Scott and Lawe, three of us, to go upon the lands with the Notary and Surveyor chosen by the previous Resolutions and to measure the Lands and proceed to the *Papier Terrier* in the District of Quebec, to Messrs. McGill, De Rouville and De St. Ours in the District of Montreal ; but for the reasons contained in the Book A. of the proceedings from page 32 to page 34. we resolved on the 17th March 1788, to make, and we had the honor accordingly to make, to your Excellency our first provisional Report contained in the said Book A. page 11, whereby we prayed your Excellency to be pleased to issue a Proclamation for the purpose of proceeding regularly to the *Papier Terrier*, or to order one as to your Excellency in your wisdom should seem best. The 15th September 1788 we gave in writing to the Committee of the Council the reasons and law authorities contained in the said Book A. page ... which appeared to render the said Proclamation necessary or useful. Waiting the solution we have made divers researches which have only produced the list and indices contained in the Book marked which are not supported by any Titles or legal evidence, and which are incapable of affording a foundation to our final Report, and considering now that we shall not obtain the said Proclamation we will pursue another course upon the fourth Query.

With respect to the tenth point, of the exact local situation of the Lands we have caused to be made Copies of some plans which we produce with this Report with a list marked but we cannot verify them nor ascertain with exactness the actual and certain situation, lines and Boundaries, but by proceeding with the *Papier Terrier* upon the spot, and causing to be made new plans as well for those parts of which there are ancient plans as of these whereof there are none.

12th If there are any parts which were given to the said Religious Order by individuals, and which are claimed by the Heirs of the Donors and what those parts are, and who are the parties claiming—

REPORT.

The first and second Reports which contain an Analysis of the original

Titles to the said Order of the Jesuits of the Estates, ascertain to what degree we have been able to obtain a knowledge from the Titles themselves, the parts which have been given to them by individuals, but to know whether these or any other parts will be claimed by the heirs of the Donors, what those parts are and who will be the claiming parties, we thought that by legal authority the subjects of His Majesty ought to be commanded within a certain time, peremptorily to declare all their claims under the penalty of losing them. And seeing that we have not obtained the Proclamation which we asked for the *Papier Terrier* we have settled another course upon the fourth Query.

Upon the second question, what remains to be done to fulfil the Commission ?

We find two proceedings very essential for the purpose of fulfilling the said Commission.

The first to command in due form of Law or simply to require all those who pretend any right of enjoyment, of property, of charges, servitudes or indemnities whether by foundation, succession, purchase or otherwise to make thereof, whether the delay be peremptorily or simply fixed, their declaration in writing and to produce the Titles and proof which they may have to offer in support thereof.

The second to command in like manner in due form of Law or simply to require all the Tenants &c. to declare within the delay which shall be also either peremptorily or simply fixed, all the dues, *Cens et rentes*, charges and incumbrances whatsoever, to exhibit their Titles and to pass a new one in the form required to proceed to the *Papier Terrier*.

Upon the the third Point. What are the obstacles encountered ? We have not met with any obstacle in fact except those which according to our proceedings Book A. do not appear to be of any consequence, but having met with an obstacle in Law, to wit, our inability lawfully to command those who set up any claim to or in respect of the said Estates to make declaration of their claim within a time to be fixed peremptorily, and in like manner the subjects of His Majesty who are now tenants in the Seigniories or debtors of Ground Rents or other dues, to declare them, exhibit their Titles and to pass a new Title to the *Papier Terrier* authorised by the Laws and forms of this Country, we submitted that obstacle in Law by our first provisional Report made to Your Excellency, and no longer expecting the Proclamation which we had demanded in that respect we proceed by another measure which we are going to explain.

Upon the fourth and last question, by what means we conceive that these obstacles could be surmounted and the intention of the said commission fulfilled.

As we no longer expect the Proclamation which might lawfully command all those who may claim any rights to declare them within a peremptory delay, and the Tenants and Debtors to declare the dues exhi-

bit their own Titles and pass the *Acte* in the *Papier Terrier*, we have resolved to cause to be inserted in the Quebec Gazette and posted up at the principal door of the Parish Churches where the said Estates are situated, an advertisement informing the Public that we are authorized under the said Commission, and that we require all those who claim any rights upon the said Estates to declare them to us in writing, and to produce their Titles and Evidence in the offices of the said Commission, held, to wit, at Quebec———————at Montreal at———————the first Tuesday of each month up to the first Tuesday of October next inclusive, at Ten of the Clock in the morning—and the Tenants or the Debtors of Dues to come and declare them, exhibit their Titles and pass an Act of declaration thereof, to wit, for the lands situate in the City and District of Quebec and Montreal at each of the said offices respectively, the first Tuesday of each month up to the first Tuesday of the month of October next inclusive, at Eleven of the Clock in the forenoon, and upon the Lands or Estates charged with such dues, to wit, for those situate in the City or *Banlieu* of Quebec and of Montreal respectively upon each lot, when the Commissioner shall present himself there, between the first of June and the first of July next, and in each Seigniory after the first of July next at the places and times which shall be by an advertisement which shall be posted up at the Parish Church of each place, until the *Papier Terrier* is completed, which resolve and which advertisement are contained in the Book A. of our proceedings.

(The two first pages wanting.)

That for the purpose of building that Church, that College and those buildings to instruct therein the Children of the French Inhabitants and of the Savages of Canada ; by reason of their vows of evangelical and personal poverty, they could not hold any estates except such as were held for by the title of a College (l) founded in favor of the Children of the Country *ad studendum & orandum*. And it was only as appertaining to a College that the King after the Cession to him made of this Country, confirmed and amortized all their Estates which he freed from his *Dominium utile*, by a solemn and express Diploma for the propagation of the Catholic Apostolic Roman Religion in Canada, and for the instruction of the Youth of this Colony. (m.)

The Seigniories were given by the same Citizens particularly to Catechise, instruct and teach, (n) and even for the assistance which the Inhabitants of the Country were to receive ; (o) this Seigniory and those which

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(l) Bull ditto.—Constit. part 6. Cap. 2 v. 3.—Causes Célèbres, Vol. XIII, page 88,—Ordonnance de 1539, Art. 151.—Cout. de Par. Art. 227 & Grand Comm. de Ferrière.

(m) Letters Patent of Louis XIV of the 12th May 1678 duly enregistered in the Sovereign Council of Quebec the 31st October of the same year, and after the Conquest the 20th December 1765, Book A. page 657. See the description of the Estates in those Patents, Art. 3.

(n) Titles of Notre Dame des Anges or Charlesbourg, of the 10th March 1626.

(o) Titles for ditto, 15th January 1657 and 17th January 1652.

are about to be mentioned, were in like manner amortized for ever for the same considerations and for the establishment of this College of its Church and of the same Religion (p.)

The Peninsula upon the River St. Charles called *Lavacherie* near Quebec, leased to David Lynd, Esquire, was granted to supply the place of six arpens taken from the 12 arpens for the College, and for the same reason and ends as contained in the Titles to *Charlesbourg*. (q) It was in like manner amortized and annexed to the College. (r)

The two Lorettes or Seigniory of St. Gabriel (s) were given solely from friendship to the Jesuits, by Mr. Robert Giffard, then Seignior of that place and of Beauport, Ancestor of Messrs. Duchesnay and De Salaberry. This Donation was prohibited and null by their vows (t) and by the Laws of this Country (v) as made personally to Pedagogues. (x) The Donor and his Descendants or Assigns have suspended their claim to a restitution of this property, thus given only in consideration that, at their instance and in favor of their posterity the King then consecrated and amortized for ever this property, by explaining the gift to be for a College of Study and for the establishment of their Religion. (y) If there are no Jesuits there are no Donees—what is given for a false consideration is liable to be claimed back *qui dans opinione falsa fuit deceptus*, (z) as what has been given or left *ob rem* may be recovered back on default of doing the thing. And the Law provides that in the case of the dissolution of a Community or Society each person is entitled to his own, and resume it. (a)

Sillery near *Cape Rouge* was granted for the spiritual and temporal aids of this Country and to support the Missions. Thus the King ratified the Title. (b)

Belair or the *Montagne à Bonhomme*. This tract of little value was acquired (c) only with the small Savings out of the Revenues of the College. The same doubts and explanations which were made in respect of *Cap de la Magdelaine* of which we are about now to speak are applicable in favor of the College.

The *Cap de la Magdelaine* near Three-Rivers was given by M. Delaferté, one of the hundred partners, only for the establishment of the

(p) Letters Patent 12th May 1678, Art. 1.
(q) Title of taking of Possession of the 24th July 1646, and concession of 17th January 1652,
(r) Letters Patent of 12th May 1678 art. 2 & 4.
(s) Donation before Mtr. Paul Vachon, No. 17, of the 22d Nov. 1667.
(t) Const. part 6, Cap. 2, v. 3, Bull of Paul 3, 25th Sept. 1540.
(v) Ordinance of 1539 Article 131.
(x) Custom of Paris, article 227 and Grand Commentaire of Ferrière.
(y) Letters Patent of 12th May 1678, article 16.
(z) Dig. l. § 23 de condict. indeb. l. § 397 D. causa data causa non secuta and dict: l. 65 § 4.
(a) Loix Civiles Donat. vol. 2, p. 104, tit. 15, Sect. 2, Tom. 8.
(b) Grant of 23d Oct. 1669 ratified by the King the 6th May 1702.
(c) Grant by the Governor and Intendant for the King of the 24th Novr. 1682 confirmed by decree of the King's Council of State of 16th April 1684, registered in the Council at Quebec. Sale before Mr. Dubreuil, Notary, the 28th August 1710 and other titles which dates givin in reports of title, No. letter E.

Christian Faith and to give to the Jesuits means for their own subsistence. But the Jesuits having expended upon that Estate the Savings of the College of Quebec, upon their apprehension of being disturbed from the want of a better explanation, Mr. Duchesnau, then Intendant for the King confirmed this Estate to them only in favor of and for the College of Quebec. (d) Finally amortized or put this Estate out of his hands only for the College of Study and for the Establishment of the Religion of the Canadians. (f)

Batiscan given by the same Mr. Delaferté for the love of God (g) was explained only by the same Intendant and upon the just apprehensions of the Jesuits, by reason of the Expenses incurred out of the Savings of the College of Quebec (h) to which it also was annexed by the King according to the amortization. (i)

The Island St. Christopher at Three-Rivers, which yields no Revenue, was granted in consideration of the advantage derived to Religion by the instruction and Conversion of the Savages. (k) The King grants the amortization thereof. (l)

Laprairie de la Magdelaine in the District of Montreal, was also granted by reason of the assistance which the Inhabitants of Canada (m) received by the Jesuits; But also by reason of the Expenses incurred out of the Savings of the College of Quebec. Upon some complaints of the Inhabitants, and upon the apprehension of the Jesuits of being disturbed for want of explanation Mr. Duchesnau, Intendant for the King, upon their prayer confirmed this Seigniory only in favor of the College of Quebec. (n) Finally the general and final explanation by the the King amortized this Estate, and the other Estates described in the Letters Patent only in consideration of the College of Quebec, and for the Establishment of the Religion, which is therein expressly mentioned. (o) There is due upon this Seigniory to the Assigns of M. Michel Martilane, the Capital Sum of 20,000 Livres Tournois, bearing an annual Constituted Rent, by Contract passed before the Conquest and Enregistered. (p)

A piece of Ground in *franc aleu Roturier*, at Saint Nicholas

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(d) Donation before Messrs. Duchesne and Treffé, Notaries, at Paris of the 20th March 1651.

(f) Letters Patent of the 12th May 1678, Act 21.

(g) Donation before Mtrs. Hervé, Bergeron, and Cousenet, Notaries, at Paris the 13th March 1639.

(h) Ordinance of the 9th February 1676.

(i) Letters Patent, 12th May 1678, art. 20.

(k) Title of the 20th Octr. 1654.

(l) Letters, 12th May 1678, art. 25.

(m) Grant of 1st. April 1647.

(n) Petition of the Revd. Father Dablon, principal of the College of Quebec: and ordonnance Signed Duchesnau, Intendt of the 4th Feb. 1676, then Signed Dupuis and Begon, by Successors as Intendants.

(o) Letters Patent of 12th May 1676, art. 26.

(p) Contract passed before M. Danzy de Blanzy and Bouron, Notaries at Montreal, of the 7th December 1678, enregistered at the Provincial Secretary's Office at Quebec, Book B. page 650.

was first (q) granted and amortized by the Seignior De Lauzon in favor of the Biſhop of *Pétrée* who was the first Biſhop of Quebec. He made a Donation of this piece of Ground to the Seminary of this City, who afterwards aſſigned it to the Jeſuits by a Deed of compromiſe and Exchange (r) for a Part of the Isle Jeſus given (s) by a Citizen, and which the King had amortized in favor of Religion and of the College of Studies then conducted by the Jeſuits. (t)

A Lot of Eleven Acres in Roture at Pointe Lévi, was alſo confirmed and amortized by the King for the College. (u)

The Iſle *Aux Ruaux*, below the Iſland of Orleans was granted by the hundred Partners, it would appear to ſupply the Houſe of the Jeſuits (x) with fuel.—This Iſland was amortized by the King according to the Diploma in favor of the College. (y)

Six Arpens of land in ſuperficies at Tadouſſac for a Chapel, (z) Presbytery and burying Ground, which were then amortized by the King: (u) and a lot of Ground under the name of Fief Pachérigny at Three Rivers, granted for the ſame purpoſes as thoſe under the title of Sillery (i) confirmed and amortized by the King. (ii) another lot at the ſaid place by exchange (iii) with the inhabitants (iiii) amortized by the King. Moreover a remnant of ground contiguous and extending to a ſmall river aſcending towards Lake St. Peter (v) in like manner amortized by the King for Religion and that College. (vi)

Several ſmall portions of Ground contiguous to each other in *Roture*, ſituate in the Upper Town of Quebec, around the Garden of the College, between the Southern ſide of a part of Saint John's Street, and the Northern ſide of a prolongation of St. Anne Street, the whole appearing to have been acquired of old by the Jeſuits out of the ſavings of the College, and to be compoſed of two Arpens in ſuperficies, for the price of £4 3 4 Sterling,

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(q) Grant of 3rd January 1665.
(r) Deed of Compromise of 20th October 1739.
(s) Donation of 20th March 1674.
(t) Letters Patent of 12th May 1678, Article 28.
(u) Letters Patent said Article 14, 15, & 29, and titles there cited.
(x) Grant by the Company of Canada, 20th March 1638.
(y) Letters Patent of the 12th May 1678, Article 27.
(z) Grant by the Company of the 1st July 1656.
(u) Letters Patent of 1678, Art. 5.
(i) Grant of the Governor on the 5th June 1651, explained by the Title of Sillery, of 23rd October 1699. letter D, No. 1 & 6, the report of the Titles, No. letter P. other Grant by the Company of the 15th February 1634.
(ii) Letter Patent of 12th May 1678, Article 22.
(iii) Title of the 9th June 1650.
(iiii) Letter Patent ditto, Article 23.
(v) Grant of 8th August 1664.
(vi) Letters Patent 1678 Art. 24.

of the ſavings of the College of Quebec, who alone could hold this ſuit Miſſionaries could not according to their Inſtitution (xxx) and Laws (xxxi) hold any Property.

A piece of Ground at the Miamis upon the River St. Joſeph, which yields no Revenue, was granted excepted from charges and indemnities to the King, to build a Chapel and Miſſion Houſe in favor of the natives and inhabitants of the Place (xxxii) This Chapel has fallen into ruin by reaſon of the troubles of the war, and there being no Miſſionary.—This ſmall beginning of an Eſtabliſhment was held as a Miſſion like that of Montreal dependant upon the College of Quebec.

Some other lands which the common people thought without examination belonged to the Jeſuit Miſſionaries, neither belonged to them nor to the College; for example, a portion in the Iſle Jeſus, which was exchanged for the lands at St. Nicholas already mentioned.

The Sault St. Louis, near Montreal, was granted to the Jeſuits for the *Iroquois* Indians, (xxxiii) acknowledged to be the proprietors of it, under the expreſs condition, that it ſhould revert to the King when thoſe Indians ſhould think proper to withdraw therefrom: and it was with a good foundation and with juſtice that the *Iroquois* obtained againſt a Miſſionary the equitable judgment of his Excellency Thomas Gage, Governor of Montreal, and of his Council, compoſed of Col. Frederick Haldimand, Major Gabriel Chriſtie (xxxiv) and others adminiſtering juſtice after the Conqueſt, who conſidering the Inſtitution of the Jeſuits, the Titles, and that the ſaid Grants had been made only with a view of thereon ſettling the Indians, ordered that the ſaid *Iroquois* ſhould be immediately put into poſſeſſion and peaceable enjoyment for themſelves and their heirs, of all the Lands of the Sault St. Louis in queſtion, with the buildings there, obliging the ſaid *Iroquois* to keep up the Church and the Houſe uſed by the Miſſionaries: and for that purpoſe, that the rents due by the Inhabitants anciently ſettled at the ſaid place, and the other Revenues of the Sault St. Louis, ſhould be annually recovered and employed in maintaining the Church, and the remainder to the *Iroquois*, who ſhould diſpoſe of it in ſuch way as they ſhould think proper.

(xxx) Bull of Paul III, of the 25h Sept. 1540 approbative of the Institution, Conſt. Part 6 Cap. 2 No. 3. Ordinance of 1539 Act 131 Cout. Par. Act 227.

(xxxi) Petition of principal of the College of Quebec and Ordinance of the 4th Feby. 1676.

(xxxii) Title of Grant of the 24th July 1689.

(xxxiii) Conditional Grant by the King of the 29th May 1681.
Ditto 31 Octr. 1680.
Brevêt of Conditional ratification of 15th June 1717.

(xxxiv) Judgment of Genl. Gage and Council at Montreal of the 22d March 1762.

The Wharf or Beach Lot in the Lower Town of Quebec with the Houſe thereon erected, in St. Peter Street, known by the name of the *Quai Guillemin*, now belonging to the Honorable William Grant, Eſq. (xxxv) was granted and afterwards sold by the Jeſuits to Mr. Charles Guillemin, for the price of £33 6 8 Sterling, under the expreſs condition and obligation on the part of the Jeſuits, to employ that ſum in the purchaſe of other property more advantageous, or on the repairs of the College of Quebec. (xxxvi)

The rich and beautiful Seigniory of L'Aſſomption, mentioned in the Report of the 17th June 1789, and the Schedule No. 2, thereunto annexed, drawn by the Agent of Lord Amherſt as Chairman and three other Commiſſioners, belongs neither to the Jeſuits nor to the College.

It was granted to Charles de Lauzon, Chevalier de Charny, (xxxvii) who aſſigned it to the Jeſuits. (xxxviii)

But that entire Seigniory having been previouſly granted to Mr. Le Gardeur de Repentigny, (xxxix) the poſterior Titles remained ever after uſeleſs.

The Lot of Ground on the ſouth-weſt of the Falls of the Chaudière Côte de Lauzon, whereof the ſame Schedule makes mention, (xl) granted in the intention of eſtabliſhing there a Miſſion for the *Abenaquis* Savages, was a project only, and the *Abenaquis* refuſed to co-operate.

Finally the same Schedule speaks of the two *arpens* by eighty upon the River *Akanca*, granted in Louiſiana, (xli) for the purpoſe of building there a Chapel and Houſe, but thoſe grounds were and now are without the limits of the Colony of Quebec.

Now may it pleaſe Your Excellency to conſider what muſt reſult.

1st. From the proceedings of the Nine Commiſſioners.

On the 23rd January 1788, the Commiſſion was opened, (xlii) amongſt the points which the Commiſſion requires to be aſcertained, is mentioned that of the claims which the heirs of the

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(xxxv) Grants of 16 Sept. 1683 and 13 May 1685.

(xxxvi) Contract passed before Mr. Barbar, Notary at Quebec, the 24th April 1712, enregistered Book A, p. 176.

(xxxvii) Grant of the 15th April 1682.

(xxxviii) Assignment of the 10th Sept. 1687.

(xxxix) Grant by Company of Canada, of the 16th April 1647, enregistered in Cahier 10 of the Intendance, page 414.

(xl) Title prescribed of the 9th June 1686 and 14th Octr. 1689.

(xli) Title given in Lousiana of the 28th Nov. 1689.

(xlii) Book B, entituled Procceedings of the Commissioners &c. Signed by them which Mr. Chandler referred to annexed to Report drawn by him and delivered is to His Excellency.

particular donors might make, but it omits the queſtion and the manner of aſcertaining the claims of the Canadians intimately intereſted in the foundation for their religious inſtruction, and of 120,000 ſouls and upwards in this country, without diſtinction of birth or religion, so far as civil Education is concerned, although ſome of them had previouſly preſented to Your Excellency a Petition and Memoire annexed to it. (xliii) The 9th of February following the nine Commiſſioners at a Meeting (xliv) nominated Meſsrs. Taſchereau and Scott, to make reſearches in all the Public Offices, to cauſe to be made authentic Copies of the Titles and Plans which the Jeſuits voluntarily lent, (xlv) upon the condition that the Originals ſhould be returned them, and it was reſolved that from theſe they ſhould draw up inſtructive Reports, as well as of all obſtacles and difficulties that might occur, and that upon the whole Mr. Chandler, the Chairman, might aſſemble all the Commisſioners. (xlvi)

As early as the 17th of March of the ſame year, (xlvii) and notwithſtanding the indiſpoſition of Mr. Scott, Mr. Taſchereau laid before the Aſſembly a volume of Copies, (xlviii) and of Title Deeds and Plans in very good order, with an ample inſtructive Report.

As it was impoſſible to aſcertain in due form of law all the points propoſed by the Commiſſion, without in the firſt inſtance proceeding lawfully in the making of a *Papier Terrier* in Town and upon the Seignories, and that it was neceſſary to oblige in due form of law all the ſubjects of His Majeſty, who poſſeſs and who have therein the property of the lands liable to *homage*, to *cens* and divers rents, or who have claims upon the foundation, to declare and ſettle by Titles and evidence, in a reaſonable but certain time, what each one owes and what is due to him, it was reſolved on the ſame day, that a proviſional Report, in this reſpect, ſhould be made, and it was afterwards laid before His Excellency, that a Proclamation might iſſue or ſuch other lawful meaſure for executing a Commiſſion of this nature.

Notwithſtanding the continual application and the activity of the Commiſſioners, they had only Copies of the Titles and Plans; the execution of the remaining objects of the Commiſſion was retarded, while awaiting the neceſſary meaſures at law. (xlix)

On the 26th of Auguſt, the Commiſſioners and ſome Jeſuits

(xliii) Petition and Memoire thereunto annexed of the 19th November 1787, mentioning those previously made since the Conquest.

(xliv) Book B of the proceedings, page 18.

(xlv) Report No. 1 of the Titles, Pages 2 & 3.

(xlvi) Book B of the proceedings, page 18, signed by the nine Commissioners.

(xlvii) Book B ditto, page 22.

(xlviii) Book B of the proceedings of the 17th March 1788, page 23.

(xlix) Book B of the proceedings from page 23 to 34, where there is a Protest by a Notary at Montreal with a Note, writing, or opinion of the Honble. William Smith, Chief Justice, and a motion of Mr. Panet.

being required to go on the 15th September to a Committee of the Council at the Biſhop's Palace, the Commiſſioners went there, and delivered in writing the cauſes which retarded the accompliſhment of the Commiſſion. The Committee cauſed to be read the Letter of the Reverend Father De Glapion, Superior of the Jeſuits of Canada, addreſſed to it, praying to be excuſed if he could not attend in perſon, and to conſider that theſe Eſtates were given to them for the ſubſiſtence of the Miſſionaries and the inſtruction of the Canadians; finally that their property was fully acknowledged in the Capitulation. (l) The Attorney General and Solicitor General had found a Proclamation expedient. (li) Afterwards they moved that His Majeſty ſhould be immediately put into effectual and actual poſſeſſion of all their Eſtates, but the Commiſſioners ſaid that that point was not within their competence.

The Committee of the Council held afterwards its Debates and Reſolutions with cloſed doors.

Mr. Chandler, Chairman, and two other Commiſſioners having afterwards met often upon the inqueſt, without having notified the other Commiſſioners acknowledged the fact, ſtating that his reaſon for so doing was, that the whole ſhould be ſubmitted to all the Commiſſioners for their information and Reſolutions. (lii)

The 25th of the ſame month of April, one year after the proviſional Report, the Commiſſioners were required to report to Your Excellency.

It was immediately (lii) reſolved that the Commiſſioners ſhould lay each his draft of a Report before the Aſſembly to be held on the 28th April. Accordingly Mr. Panet ſubmitted to them his draft of a ſuch Report and of an Advertiſement (liv) notifying the public, in default of a Proclamation, for each one to state within a certain fixed period what he owes and is due to him, by reaſon of the Eſtates of the Jeſuits or of the College.

As Meſſrs. Chandler *Chairman*, Scott, Coffin and Lawe, often met without calling the other Commiſſioners, and as the report required to be ſent in without delay, made no progress.— Meſſrs. Taschereau and Panet demanded in writing from the Chairman a Meeting of the Commiſſioners (lv) which he fixed for the 17th June. Mr. Chandler then produced his draft of a

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(l) Letter signed by the Reverend Father De Glapion of the 10th September 1788.
(li) Report of the Attorney General and of the King's Solicitor to the Committee of the Council of the 4th May 1788, and their draught of a Proclamation.
(lii) Book B. sitting of 18th April 1789, discourse of Mr. Chandler and answer in the sitting of the 23rd of the same month.
(liii.) Book B. sitting of 25th April 1789, Letter of H. T. Motz, Secretary, of the 24th April including part of a report of a Committee of the Council.
(liv.) Book B. of the proceedings of the 25th April 1789.
(lv.) Book B. ditto.

report of that date and of the Schedule No. 2 thereto annexed, which inſtead of answering the four queſtions propoſed on the 25th April, advances without explanation and without citing any Law, that His Majeſty is veſted with all the Eſtates in queſtion, and may lawfully give and grant them to Lord Amherst, and finally that no claims have been made. (lvi)

We immediately moved (lvii) that three of the Commisſioners of Montreal should be immediately ſummoned to a General Meeting of the Commiſſion, to be held at Quebec in the following week, to examine the different drafts of Reports and to ſettle one according to the majority of Votes.

Meſſrs. Chandler, Scott, Coffin and Lawe, objected and reſolved amongſt them, four only, that all the proceedings ſhould be inſtantly ſigned and ſent to the three Commiſſioners at Montreal for their Conſideration, and for them to ſign them if they approved them. We did not ſign this Report nor the Schedule, reſerving to ourſelves the right of examining them. Mr Chandler ſaid that he was going inſtantly to ſend Mr Lawe with all the proceedings to Montreal, and upon our Motion it was reſolved to give us notice to attend as ſoon as the answer from Montreal ſhould be received. (lviii)

Whilst Mr. Lawe was travelling with only a part, though a considerable one, of the Papers, we were engaged in making at the office of the Commiſſion, Extracts, Notes and Tranſlations of the Papers which had remained there although the proceedings of the 17th June, required that all the proceedings ſhould be immediately ſent to Montreal, and the Commiſſioners summoned to come to Quebec to the Aſſembly—But upon the 27th June, Mr. Chandler, confounding his qualities of Chairman and Agent, (lix) more zealous and less liberal than his principal, took unauthorized poſſession of our Extracts and the Notes for our own uſe, by ſeizing them with the aid of his Interpreter, reproaching Mr. Genet, the Secretary of the Commiſſion, with having contrary to his Oath allowed us to make Notes. Mr. Genet behaved very well in respect of us.

(lvi) Report of 17th June 1789 and Schedule No. 2, annexed thereto, signed only K. Chandler, T. Scott, J. Coffin and Geo. Lawe.

(lvii.) Book B. ditto same day, motion by G. E. Taschereau seconded by Mr. Panet, Commissioners. Remark.—These three Commissioners at Montreal were James McGill, Quinson De St. Ours and J. M. Hertel De Rouville, Esquires, authorized to enquire, by resolution of the nine Commissioners of the 14th Feb. 1788, Book B. p. 20.

(lviii) Book B. ditto same day.

(lix) Letter of 5th January 1788, to George Pownall, Esquire, signed K. Chandler, who becomes surety or binds himself to pay for my Lord Amherst all the fees of the issuing and execution of the Commission.

On the 29th June the Secretary demanded in the Aſſembly which he had obtained at our inſtance, a reſolve whether, according to the tenor of his Oath taken the 26th January 1788, (lx) not to give nor to allow to be taken by others than the Commiſſioners any Copy of the proceedings, he was juſtifiable in having at the requeſt of Mr. Chandler, (lxi) kept down to that time our extracts and Notes.

Could Mr. Chandler deny having made and ſent to Europe a multitude of Copies and of Notes of what had taken place at the Inquest ſince its opening ? Nevertheless, our Extracts and Notes wherewith he had ſatisfied himſelf at his leiſure, were reſtored us.

Having ſeen Mr. Lawe for the firſt time after his return at this meeting, Mr. Taſchereau moved that he ſhould make a report of his proceedings at Montreal —He ſaid that the Three Commissioners who were there would not ſign the Report of the 17th June nor the Schedule, No. 2.—This was not matter of aſtoniſhment to us, but ſeeking the reaſon why they had not immediately come down to Quebec, according to the Motions, Debates, writings and Reſolutions of the 17th June, whereof we thought that at leaſt a Copy had been ſent with the papers, it was ascertained : (lxii)

1ſt — That Mr. Chandler had ſent off Mr. Lawe precipitately from Quebec, on Thursday the 18th of June, at four o'Clock in the morning, before the regular Post which leaves Town on the ſame day at four in the Afternoon.

2d.—That he carried with him a Box full of Books, Titles &c. (lxiii) with the Report drawn up by Mr. Chandler, dated the day before, and the Schedule, No. 2 annexed thereto, but not the Book (B) of the proceedings nor a Copy of the Motions, debates and reſolutions, and particularly thoſe of the 17th June, (lxiv) which required the prompt arrival of the three Commiſſioners to meet a General Aſſembly.

3d. That as early as Friday the 19th June, Mr. Lawe having arrived at Montreal, wrote his letter to the three Commiſſioners ,in which he hurries them to ſign immediately all the Papers, Reports, &c. confided to his care, telling them that his ſtay at Montreal is

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(lx) Book B. p. 11.
(lxi) Book B. of the proceedings of the 29th June 1789.
(lxii) Book B, of the proceedings of the 29th June 1789.
lxiii) List of the Books, Paper, &c. dated and received the 17th June 1789, signed Geo. Lawe.
(lxiv) Book B. of the proceeding of the 29th June 1789, Declaration of Mr. A. H. Genet, Secretary.
(lxv) Letter dated at Montreal on Friday evening, signed Geo. Lawe, addressed to Messrs. McGill, Rouville and St. Ours.

ſo limited by the Commiſſioners at Quebec, that he cannot risk prolonging it farther than Monday then next, or the 22d. June at Noon, and he hopes you to be able to leave Montreal on Saturday the 20th June. (lxv) He must have had it in view to get before the regular Post with the three Commiſſioners at Montreal, & the return of the Post which would have facilitated our Correspondence with the three Commiſſioners at Montreal.

4th—deprived of the Book (B), Copy of the proceedings of the 17th June, and of our Correspondence and hurried in this manner, the three Commiſſioners of Montreal wrote as early as Saturday the 20th, their complaints of this precipitation, maintaining that it reduced them to an impoſſibility of examining ſo many Papers in ſo ſhort a time and to give their ſanction to ſuch a buſiness, & ſtating as their opinion that in the very firſt inſtance a Public Advertiſement ſhould require the declaration of the claims that there may be upon the Lands in queſtion.—Finally that they truly regretted that the meaſure of ſummoning them to Quebec to make their Report had not been adopted. (lxvi)

That finally Mr. Lawe had returned to Quebec, as early as Tuesday the 23d. June at two o'Clock in the morning, and we only ſaw him at the Aſſembly of the 29th.

Under theſe circumſtances we made another motion (lxvii.) inſtantly, that the three Commiſſioners who, with us, made five of the ſame opinion, according to their letter in favor of an advertiſement to the public, as well as for an examination and Report by the majority of Votes, ſhould immediately be required to be preſent at an Aſsembly at Quebec on Monday then next or 6th of July, but the four Commiſſioners abſolutely refuſed this and reſolved amongſt themſelves only, to deliver in, and they did deliver in, to Your Excellency, as early as the 30th of June 1789 their report, dated the 17th, with the Schedule No. 2, annexed thereto and a part of the papers, omitting amongst them the Book B. (lxviii.) of the proceedings, the original Reports of the Titles Nos. 1, 2 and 3, the draft of a Report and of an advertisement laid before the Aſsembly the 2d May preceding, as well as all the Papers to which the Book B. of the proceedings refers.

We did not fail to lay before Your Excellency on the ſame day, the 30th of June, our most humble obſervations upon theſe facts (lxix.) and upon ſuch a report with its Schedule No. 2, sign-

(lxvi) Letter dated from Montreal, Saturday the 20th June 1789, signed James McGill Quinson de St. Ours ane J. B. Hertel de Rouville.

(lxvii.) Book B. of the proceedings of the 29th June 1789.

(lxviii.) List of Books and papers at the foot of their report dated 17th June 1789.

(lxix.) Written observations of the 30th June 1789, signed G. E. Taschereau and J. A. Panet, Commissioners which they instantly delivered in themselves to my Lord Dorchester.

ed only by four, submitting that they could not be considered as the majority of nine, nor ought they to be maintained in the infractions by them committed of the previous reſolutions of all the Commiſſioners, and concluding forthwith that the Book B. and the papers omitted ſhould be delivered in, and that the Chairman ſhould be held to convoke promptly an Aſſembly of the nine Commiſſioners, for the purpoſe of making according to the majority of Votes a true and just report, either provisional or final, upon the subject matter of the Commiſſion.

Since that we have received in communication only what is mentioned in the Letter of Jenkin Williams, Esquire, Clerk, of the 27th August last, and have not down to this time ſeen any denial on the part of Mr. Chandler of the facts advanced in our observations and ſusceptible of proof. The love of truth and of Justice had dictated them to us only in the hope that of neceſsity his Majeſty would be made acquainted with them.

2dly. Of the Report of James Gray, Eſquire, Attorney General and Jenkin Williams, Eſquire, Solicitor General of His Majeſty, dated the 18th May 1790.

Their functions regulated by the Laws of Canada in reſpect of Civil matters are those of Advocates or Attornies General in a Parliament. They are stiled Attornies of the King or their delegates, and in the Inferior Tribunals are inſtituted, "For the pur-"poſe of maintaining the interests of the King or of the Public, "of the Church and of minors. It is for this reaſon that all cau-"ſes wherein theſe are concerned are communicated to them, "and after the Advocates of the parties have been heard, "they give their conclusions." (lxx.) The Court is not obliged to follow their opinion becauſe they are not Judges. (lxxi.)

They say they have studied much.

1. To what extent they had been able to execute the Commiſſion.

2. What remained to be done to fulfil it.

3. What obſtacles were encountered.

4. By what means theſe obſtacles might be removed and the Commiſſion fulfilled.

1st. The proceedings of a Committee of Council of this Province under the Royal Order bearing date at St. James the 18th August 1786.

2d. That they have considered that the object in view by His

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lxx) Introduction à la pratique par Ferrière verbo avocats généreaux.
lxxi) Ibidem verbo procureur général.

Lands in queſtion" His Majeſty does not by this order declare that he hath ſuppreſſed or doth ſuppreſs the order of Jeſuits in Canada, ſtill leſs that their eſtates belong to him, and that at all events he gives them in the whole or in part to my Lord Amherſt, on the contrary, His Majeſty approves the Report of his Privy Council, which goes to the deciſive point that, after the faithful Report of ſuch an Inqueſt, there ſhall be paſſed a Grant according to Law under the ſeal of this Province, in favor of my Lord Amherſt, his heirs and aſſigns, of ſuch parts, & not of the whole, of the Eſtates belonging to the Jeſuits, as can be lawfully granted. It is not then ſufficient that it be found that parts be aſcertained to be of the Eſtates belonging to the Jeſuits in Canada, it is neceſſary further to aſcertain by a lawful inqueſt, that their Eſtates can, or could not, be lawfully granted by His Majeſty to my Lord Amherſt.

The ſpirit of the Royal order, by all the propoſitions and conditions which it wiſely contains, ſhews clearly the true and eſſential queſtion which His Majeſty was pleaſed to permit to be treated fully and with freedom as well as with reſpect :—

What portions of the Eſtates belonging to the Jeſuits in Canada, could His Majeſty on the 18th of Auguſt 1786 lawfully give or grant to my Lord Amherſt ?

Is it ſimply to order that you ſhall aſcertain in due form of Law, whether in fact and in Law, and in what manner, the King had, on the 18th of Auguſt 1786, a right to give to my Lord Amherſt certain portions of the Eſtates belonging to the Jeſuits in Canada, and, if ſuch be the caſe, a lawful grant ſhall be executed upon the conditions contained in the order.

It cannot be denied that this was the queſtion for the Royal Commiſſion of the 29th December 1787, although it conſiders what is not in the order of the 18th Auguſt, to wit : that His Majeſty was moved concerning the Eſtates and Lands to His Majeſty belonging, adding, and heretofore held and claimed in this Province of Quebec by a certain religious community known by the name of the order of the Jeſuits, nevertheleſs the ſame queſtion is there propoſed, which is the fourth, with what portions of the ſaid Lands His Majeſty is now veſted, and he can lawfully give, in the above mentioned manner.

The orders of the Commiſſion do not then abſolutely determine that the King is vested with the Eſtates belonging to the Jeſuits, nor that His Majesty purpoſes to give them in any other manner that the Law appoints, but in both these documents the queſtion only is ſtated, a queſtion which certainly comprehends a conſiderable number of others, and which requires the conſideration and

the faithful Report of all the particulars of fact and of Law, foreſeen and unforeſeen, by the Attornies and Solicitor General of England, and to convince oneſelf of this truth it is ſufficient to obſerve that the four Commiſſioners, the King's Attorney and Solicitor General at Quebec, by their Report have undertaken to treat, although very ſuperficially, and even to decide this great queſtion.

That they ſubmit to His Majeſty that the ſaid ſeveral particulars, and all other material circumſtances attending the Lands in queſtion, may be beſt aſcertained by an enquiry inſtituted in the Province by Commiſſioners to be appointed by His Majeſty's Government, or by ſuch proceedings in the nature of an inquiſition, as he ſhould find moſt convenient to the Laws and uſages of the Province, to inſtitute for that purpoſe, and that until theſe particulars ſhould be fully aſcertained, they were ſtill unable to prepare ſuch grant to the Petitioner as would be valid in Law.

The Lords of the Committee of Council on the 11th Auguſt 1783, took into conſideration the Report and the Petition therein mentioned, and find that His Majeſty was pleaſed by His Order in Council, dated the 9th November 1770, to liſten to the prayer of the Petitioners and to Order that there ſhould be prepared the draft of a proper Inſtrument, to be paſſed under the Great Seal of Great Britain, for granting to Lord Amherſt the Eſtates belonging to the Jeſuits in Canada, reſerving to His Majeſty for Public uſes the Colleges and Chapels, with their appurtenances, which belonged to the Society in Quebec, Montreal and Trois-Rivières, the Grantee engaging to make ſatisfaction to ſuch of the then poſſeſſors as were in poſſeſſion at the time of the Conquest.

The Lords of the Committee are in conſequence of opinion, that in conſideration of the difficulties and delay that had hitherto attended the carrying into effect His Majeſty's Gracious intention in favor of the Petitioner, His Majeſty might authorize and direct the Governor of the Province of Quebec, to cauſe the ſeveral particulars ſtated by the Attorney and Solicitor General in their above Report and all other circumſtances attending the Lands in queſtion, to be ascertained by Commiſſioners to be appointed by His Majeſty for that purpoſe, and that upon return thereof, the Governor ſhould pass a Grant under the Seal of the Province, to the Petitioner, his Heirs and Aſſigns, of ſo much of the Eſtates belonging to the Jeſuits in the ſaid Province, as might be legally granted, under ſuch tenures and ſubject to all ſuch payments and other rights of Seigniory, as might by Law belong to His Majeſty, his Heirs and Succeſſors, and under the reſervations and conditions

mentioned in His Majeſty's prior order of the 9th November 1770, and excepting thereout ſuch parts or parcels thereof as His Majeſty's Governor ſhould judge neceſſary to be reſerved for Public uſes, and ſuch Grant to be ſubmitted to His Majeſty's further conſideration.

The 18th of Auguſt 1786, His Majeſty after having taken the ſaid Report into conſideration, by the advice of His Privy Council was pleaſed to approve the recommendation therein contained, and to direct as by the ſaid Order it is directed, that the ſaid Report ſhould be exactly followed and put into execution whereof the Governor or Commander in Chief of the Province of Quebec, for His Majeſty and all others concerned therein, ſhould take notice, and conform themſeves thereto.

LETTER, without date, from the before named Revd. Father De Glapion directed to "Monſieur Louis Germain, fils, Negociant Quebec."

The greater part of the Eſtates, Lands, and Poſſeſſions which the Jeſuits, now being in Canada, have enjoyed and ſtill enjoy as well in Fief and Seigniory as in *Roture*, were given to them in full property by the Kings of France, the Duke of Ventadour, the Commercial Company of Canada, and by generous individuals for the ſubſiſtence of the ſaid Jeſuits, on condition that they would employ themſelves in inſtructing the Indians and the Young French Canadians—The Jeſuits acquitted themſelves ſo well of thoſe two obligations that they merited, that Louis the Fourteenth of Glorious Memory, ſhould by His magnificent Diploma of renew and ratify in their favor all their Eſtates and all thoſe gifts to them made Some other portions of property were purchaſed by the old Jeſuits with their own monies, and thoſe purchaſes were approved by the above mentioned Diploma.

But in October. 1789 the Jeſuits then being in Canada were reduced to the number of four and all of an advanced age—conſequently they were no longer in condition to acquit, by themſelves, the ſtipulated obligations to inſtruct the Savages and young Canadians.

Therefore they renounced purely, ſimply, voluntarily & *bona fide* all property and poſſeſſion thereof to the Canadian citizens, in favor of whom they were made, to the end that under the direction and authority, and with the approbation of Monſeigneur Jean François Xavier Hébert, moſt illuſtrious and Revd. Biſhop of Quebec, and of his ſucceſſors Biſhops, proviſion may be made for the inſtruction of the Savages of Canada and of the young Canadians.

This ſurrender, renunciation and aſſignment of property made for the benefit of the Canadian citizens and of the Province of Canada upon the clauses and conditions following.

1. That the Jeſuits reſident at Quebec, ſhall enjoy until the death of the laſt of them, the building which they occupy that has a view upon their upper Garden, and whoſe front is to the South, that they ſhall enjoy the ſaid Upper Garden, and the tuft of wood or the *boccage* which is at the end of the ſaid Garden towards the north-weſt—That they ſhall enjoy their Stables, Ice Houſe, Yard, Waſhhouſe, Well and Woodhouſe—That they ſhall enjoy their Library and moveables, in their chambers, and in the whole building which they reſerve to themſelves—That they ſhall enjoy their Church, their Veſtry, and all the moveables and ornaments which are in the ſaid Church and Vestry—Their Veſtibule
and the building *(congregation)* where the citizens *congreganistes* meet at leaſt once a week to the edification of the Public, that the ſaid Jeſuiſts reſident at Quebec ſhall continue to receive each year a certain quantity of Hay, which is due to them in virtue of a contract paſſed between them and the Sieur Jean Baptiſte Normand, living near the paſſage of the River St. Charles.

Second condition—That Father Etienne Thomas de Villeneuve Girault, Miſſionary of the Hurons of the Nouvelle Lorette, ſhall enjoy during the whole of his life the Church and Veſtry, and all the moveables and Ornaments therein—That he ſhall enjoy all the Buildings and all the moveables with the Utenſils of the Garden, the Yard and all the Meadows which he hath enjoyed down to this day, that the ſaid Father Girault ſhall have the right during his whole life and without paying therefor—to have ground at the Mill of New Lorette, all the grain whereof he ſhall have occaſion for his ſubsistence and that of his ſervants.

Third condition—That Father Bernard Well, ſhall continue during his whole life to enjoy the Chapel and Veſtry
and the Ornaments and moveables therein, and the Buildings, Gardens and Yards which he hath enjoyed down to this day in the Town of Montreal.

Fourth condition—That the Canadian citizens ſhall pay every year to each of the four Jeſuits who are ſtill living, an annuity of 3000 livres at the rate of the Province—which annuity ſhall be paid at two terms, that is to ſay, that they ſhall pay to each of the four Jeſuits 1500 livres every ſix months, and the ſaid annuity ſhall ceaſe to be paid to each of them as each departs this life.

Quebec, 31st October, 1789.

Sir,

I forgot to apprize the Canadian Citizens that our residence of Montreal is charged with a rent of 20,000 livres Capital, in consequence of which the Reverend Fathers Floquet and Wee have for many years paid to Mr. Panet, Judge at Quebec, an annual rent of one thousand livres. I beg that you will mention this to them and you will oblige

Your Servant,

(Signed) GLAPION, Jes.

To Mr. Louis Germain, Junr.
Merchant in the Upper Town of Quebec.

7th December 1758.—Conſtitution of 1000 livres annual rent granted by the Revd. Fathers Floquet (Pierre Edouard) Superior of the Reſidence of the Jeſuits at Montreal, according to the advice and with the approbation of the Revd. Father Jean Saint Pe, Principal of the College and Superior General of the Miſſions of the Company of Jeſus in New-France, to Mr. Michel Martel, Principal Clerk of the Marine, doing the duty of Commiſſary General *(Commissaire Ordonnateur)* at Montreal, payable annually on the 28th of Auguſt, for ſecuring which rent and the principal thereof, there is a Special *hypothéque*, upon the Seigniory of Laprairie de la Magdelaine, and generally upon all the Property, moveable, immoveable, preſent and to come, of the reſidence of Montreal, without that one Obligation derogate from the other.

The ſaid Conſtitution made in conſideration of 20,000 livres and to ſettle that of a like ſum being the amount of the Note of hand of the ſaid Father Floquet, in favor of the ſaid Martel of the 18th Auguſt last, delivered up to the ſaid Floquet, the ſaid 1000 livres redeemable in one or more payments, whereof the leaſt ſhall be of 4000, giving previous Notice in all the month of October. The said Contract is Signed upon the exemplification thereof, Bouron and Douire De Bleury, Notaries, and Sealed with the Seal of the Royal Jurisdiction of Montreal, the 9th December of the year 1758.

The ſaid Contract of Conſtitution was enregiſtered at the office of the Provincial Secretary the 21st. February 1770, in the French Regiſter Letter (D) Page 650.

Aſſignment of this Contract of Conſtitution by Jean Dumas, Esqr. Juſtice of the Peace at Montreal, Attorney by ſubſtitution of Chriſtopher Peliſſier, who held a general power of Attorney of

Jean Michel Martel, and Dame Agathe Beaudoin, his wife, to Pierre Panet, Notary and Advocate at Montreal, in conſideration of the Sum paid to the ſatisfaction of the Aſſignor, paſſed before Maitre Mezières and his Colleague, Notaries, at Montreal, the 13th January, 1771.

Acceptation of the ſaid Aſſignment by the Revd. Father Floquet, Superior, who acknowledges the ſame to have been duly intimated to him, by Act paſſed before the ſame Notary the Eleventh of February of the ſame year.

The rents thereof have been paid up to the 8th March last.

REPORT OF THE COUNCIL ON EDUCATION.

To His Excellency the Right Honourable GUY Lord DORCHESTER, Governor General of the Province of Quebec, &c. &c.

MAY IT PLEASE YOUR LORDSHIP,

The Committee being this day aſſembled, in obedience to Your Lordſhip's Order, came to ſundry Reſolves thereon, as expreſſive of their *unanimous opinion*; which, with the cauſe of the delay of their deliberations and Report, are contained in the Copy of their Journal hereunto annexed.

All which is nevertheleſs ſubmitted to Your Lordſhip's great wiſdom.

By Order of the Committee, Quebec Council Chamber, at the Biſhop's Palace,—Thursday 26th November 1789.

(Signed) WILLIAM SMITH, Chairman.

JOURNAL of a Committee of the Council charged to report on the ſubject of the Education of Youth in this Province.

At a Meeting, Thursday 26th November 1789.

PRESENT,

The Chief Juſtice,	Mr. Grant,
Mr. Dunn,	Mr. Baby,
Mr. Delery,	Mr. Dupré.

Read the Order of Reference, dated 31st May 1787.

THURSDAY 31st May 1787.

His Lordſhip called the attention of the Council to the great

object of the Education of Youth through all the extent of the Province, and it is committed to the Chief Juſtice, Mr. Dunn, Mr. Mabane, Mr. Delery, Colonel Caldwell, Mr Grant, Mr. De St. Ours, Mr. Baby and Mr. Dupré to report with all convenient ſpeed, the beſt mode of remedying the defects, an Eſtimate of the Expence, and by what means it may be defrayed,—Any other Member aſſiſting the Committee, to have a voice.

(Signed) J WILLIAMS.

Obſerved by the Chairman, that His Lordſhip's Order ſuppoſing defects in the means of Education, the duty of the Committee ſeemed to be to explore the cauſes and point to the remedy.

That as the ſubject was not capable of the diſcuſſion the reference required without ſome local information, he had ſince put a ſeries of queſtions into the hands of Mr. Panet, one of the Canadian Lawyers, in the hope of being able to have ſpread before the Committee pertinent communications from every Pariſh of the Ancient Settlements in the two Diſtricts of Quebec and Montreal.

The Queſtions were theſe—" Enquiry to extend to :—
" (1) The condition or preſent ſtate of Education. A liſt of the
" Parishes and incumbents, and of the number of the Pariſhoners
" in each, and the amount of their respective Church Revenues.
" The number of their Schools, and the kind of inſtruction.
" What their ſupport ? Can it be true, that there are not more
" than half a dozen in a Pariſh that are able to write or read ?
(2) " The cauſe of the imperfect ſtate of inſtruction. What
" kinds of public and general tuition are eſtabliſhed ? What the
" Funds ? What the Income ? To what the uſes and ends ?
" What the impediments ?
" A Minute detail deſired, that the remedy may be the better
" adapted to the evil, and the neceſſity there is for proper inſti-
" tutions.
(3) " The remedy or means of inſtruction. The main object
" is the cultivation of knowledge.
" Suppoſe a Union for this purpoſe ſafe to the Catholic as well
" as Proteſtant perſuaſions, and encouraged by all enlightened
" and patriotic characters, whatever the diverſity of their reli-
" gious tenets, is it poſſible to hope to take a ſtep towards eſta-
" bliſhing a Univerſity in the Province, or to find Schools intro-
" ductive of a Univerſity ? How may inſtructors be acquired ?
" By what means can a taſte or deſire of inſtruction be excited
" in the Pariſhes ?

" The means muſt be adapted to the condition of the Colony.
1.—" To the ſtrength and ability of the Inhabitants.
2.—" To the aid to be expected from the Provincial Legislature.
3.—" To the contributions probable from abroad, in money " and books, and towards an apparatus for experiments in Na- " tural Philoſophy.

Upon the firſt point,

" Will the Chief Inhabitants concur in asking for an incor- " poration? Will the Subscribers for the Library place it in the " hands of a Corporation for a College?

" May any thing be hoped for, in the way of private contri- " bution, for an erection of the eſtabliſhment, in any particular " place or part of the Province?

Upon the ſecond point.

" What Lands of the Crown are there proper to be ſettled " for the uſe of ſuch a Society?

Upon the third point.

" Without an eſtabliſhment by Charter, every gift will be de- " pendant upon private confidence, and then nothing is to be ex- " pected from abroad. This will not be ſo, if the Stock and " Revenue are in hands having the confidence of the Govern- " ment, and may it not be expected to find men of learning for " the profeſſors' chairs free from narrow prejudices?

" May we not flatter ourſelves, that a Circular Letter to the " Paſtors of each Pariſh, will bring us an exact account of the " Pariſhes, and awaken a ſpirit of enquiry, and afford uſeful in- " formation of the peculiar advantages of the Pariſhes for the " ſpecial improvements of which they are capable?

The Chairman added.

That as yet Mr. Panet had not (poſſibly from the interruptions of his practice at the Bar) ſent in any answers to theſe queſtions.

That this delay having been ſuggeſted to His Lordſhip in Council, upon his uſual call for quickening the unreported references, the Chairman then looked for the information from the good offices of Mr. Baby, one of the Members of this Committee, who undertook to ſpeak to Mr. Panet and forward the work.

That the Chairman proceeded next, to bring the heads of the Clergy of the Catholic Communion acquainted with the benevolent intention of the Reference, and for that purpuſe the following Letters were written laſt Auguſt.

" Quebec, 13th Auguſt 1789.

" Right Reverend Sir,

" A Committee of the Council, of which I am Chairman,

" have had it in charge ever ſince the 31st May 1787, to re-
" port to the Noble Lord at the head of the Government, upon
" the intereſting ſubject of giving a ſpring to ſcience upon a
" great ſcale, by an Univerſity in this Province.

" The queſtions incloſed, are ſtated for acquiring ſome infor-
" mation, preparatory to a Meeting of the Committee and were
" put for that purpoſe into private hands, who have not ſuc-
" ceeded, and are now ſubmitted to your inspection, in the per-
" ſuaſion that your power and inclination, will be equal to a de-
" ſign, which independent of the benefits of promoting the
" Children of this Country by qualifying them for public
" honors and Service, is conducive to the proſperity of the Pro-
" vince, and the intereſt of humanity at large.

" I have transmitted another Copy to your venerable Coadjutor,
" and I am perſuaded that our Committee will accept your's and
" his aids, and those of all the Clergy under your care, with great
" gratitude, and be very ready to Co-operate with you in this
" honorable and great work.

" I have the honor to be,

" Right Revd. Sir,

" Your moſt obedient and humble Servant,

" (Signed) W. SMITH."

Monſeigneur l'Evêque de Québec.

" Quebec, 13th August, 1789.

" Right Revd. Sir,

" The enclosed queries were designed to procure information for a
" report to the Governor General from a Committee of the Council,
" with a view to the erection of a University in this Province.

" Having written this day to Monseigneur l'Eveque upon this subject,
" I send you a Copy of the queries, in the persuasion that your good
" offices cannot be wanting in a concern of such interesting utility.

" I have the honor to be, Right Revd. Sir,

" Your most obedient and most humble Servt.

" (Signed) WM. SMITH.

" Right Revd. Mr. Bailly, Co-adjutor &c. &c."

[*Answers*]

" Quebec, 13th August, 1789.

" Sir,

" I have the honor of your letter of this day, I shall have that of re-
" turning you an answer, when I shall have maturely considered the im-
" portant object to which it relates.

" I have the honor to be, Sir,

" Your most humble and most obdt. Servt.

" JEAN FRANCOIS HUBERT,
Bishop of Quebec."

" The HonLle. Wm. Smith.

" Sir,

" It was this morning when I received the Honor of your letter, I
" shall consider it a duty to return an answer to your demand as soon
" as it wi'l be in my power to do so, persuaded that you will assist in
" accomplishing a work so useful to the Province.

" I have the honor to be, Sir,

" Your most humble and most obdt. Servant,

" (Signed) CHARLES FRANCOIS DE GASPE'.
Co-adjutor at Quebec.

The Chairman then added, that he was lately honored with the following communicative letter on the subject, from the Right Reverend Bishop of Quebec.

Quebec, 18th November, 1789.

" The Honble. William Smith, Chief Justice.

" Sir,

" The following is the result of my reflections upon the scheme
" which you did me the honor of communicating by your Letter of the
" 13th of August.

" Nothing is more worthy of the wisdom of the Government under which we live, than the encouragement of science by every possible means, and with respect to myself, let me assure you, nothing can be more agreeable to my views and wishes. At the name of an University in the Province of Quebec, my *native* Country, I bless the Almighty for having inspired the design, and my prayers are offered for the exe-

cution of it. However, as you give me to understand, that my opinion will be received with pleasure, I ought to suggest to the Honorable Council and to the Committee, in whose name, I conceive, you have written to me, the following observations.

" 1st. It is very doubtful whether the Provinne can, at present, furnish a sufficient number of students to occupy the masters and professors that would necessarily be required to form an university. While there remains in Canada so much land to clear, it is not to be expected that the Country inhabitants will concern themselves about the liberal arts. A farmer in easy circumstances, who wishes to leave his children a comfortable inheritance, will rather bring them up to Agriculture, and employ his money in the purchase of lands, than procure them learning of which he knows nothing himself, and of the value of which it is scarcely possible he should have an idea. Every nation upon the Globe has successively given proof of my assertion, the sciences having flourished only when there have been more inhabitants than necessary for the cultivation of the land.—This is not yet the case in Canada, an immense space of Country, where the lands, little improved, offer on all hands wherewithal to exercise the industry and stimulate the interest of the settlers. The Towns therefore stand alone for furnishing Students to the University.

" There are but four Towns in the Province : William Henry, still uninhabited : Three Rivers, scarcely meriting the name of a Town : The inhabitants of Quebec and Montreal, it is known, are not very numerous : Besides, it is probable, considering the present scarcity of money and the poverty of the Citizens, that Montreal cannot send many youths to the University ? In the course of every two years, ten or twelve Scholars are sent from thence to Quebec to study Philosophy ; if more should come from thence, the whole town would murmur :—Many for want of Funds, are compelled to finish their studies when only in the class of Rhetoric—yet the Seminary of Quebec teaches Philosophy *gratis*, as well as the other branches of science, and the greatest sum required from a Student, never exceeds twelve pounds sterling per annum :...Hence I conclude that the period is not arrived for founding an University at Quebec.

" 2d.—I understand by *University*, a Company, Community or Corporation composed of several Colleges, in which Professors are placed to teach several sciences. The foundation then of an University pre-supposes an establishment of Colleges dependant thereon, and furnishing Students for it ; according to the most esteemed Chronologists, the University of Paris, the most ancient in the world, was only founded in the twelfth Century, though the kingdom of France had subsisted from the fifth.—Nothing therefore seems to urge such an establishment in a Province newly risen into existence where there are but two small Colleges, and which might, perhaps, be obliged to apply to foreign Countries for professors to sit in the chairs, and for Scholars to receive their Lectures.

" It will be objected that the Anglo-Americans, our neighbours, " though the settlement of their Country is not of long date, have ne- " vertheless furnished themselves with one or more Universities:—But " it must be observed, that their proximity to the sea, which is not the " case with us, having rapidly extended their commerce, multiplied " their Towns and encreased their population, it is not to be wondered " that they should be more advanced than we are, and that the progress " of two Countries, so differently situated, should not be exactly alike.

" 3d.—Supposing the two foregoing reflections refuted by others " more judicious and wise, I wish to know by what plan it is proposed " to govern the administration of this Community, before I take any " step respecting the Clergy of my Diocese or the Canadians collective- " ly. The project of an University in general does not meet my senti- " ments. I should like a more minute detail. How many different " sciences are intended to be taught there? This question is import- " ant; a greater number requiring, of necessity, a greater number of " professors, and consequently, greater Revenues.—Is it intended that " it should be governed by one Rector, or by a Society of Directors? " If by a Rector, is the appointment to be for life, or is he to be re- " moveable at the end of a given number of years? Who are to be the " persons to nominate either him or the Directors, if that mode of Ad- " ministration were to take place? Would it be the King, the Go- " vernor, the Citizens of Quebec, or the Province at large? What " rank or character would be given to the Bishop, and what to his coad- " jutor in the Establishment? Would it not be proper that both, or " one at least of them should hold a distinguished station?

" This is not all, an Union protecting the Catholic & Protes- " tant Subject had been previously announced. These terms are " very vague. What are the measures to be taken to procure so " necessary a junction? will it be answered by proposing for the " university, persons unprejudiced in their opinions? this, far " from resolving the difficulty, seems only to encrease it. For " what is meant by persons unprejudiced? the true sense of the " expression relates to persons who are neither unwisely prepos- " sessed in their notions in favor of their own nation, nor unad- " visedly zealous to inspire into youth not instructed therein, " the principles of their Communion; further, they ought to be " virtuous and moral persons, who govern themselves by Gospel " principles and Christianity: whereas in the stile of modern " writers, a person unprejudiced in his opinions, is one who " opposes every principle of Religion, who, pretending to con- " duct himself by the law of nature alone, soon becomes immo- " ral and not subordinate to the Laws, so necessary to be in- " culcated upon youth; if it be intended that they should con- " duct themselves uprightly; men of this character (and this

" age abounds with them, to the misfortune and revolution of " nations) would by no means ſuit the eſtabliſhment propoſed.

" After theſe preliminary obſervations, which ſeemed to me " eſſential, I ſhall endeavor, sir, to anſwer your different queſ- " tions.

" *Question* 1.—The condition or preſent ſtate of Education :— " Liſt of the pariſhes and incumbents, and of the number of the " Pariſhioners in each, and the amount of their reſpective church " revenues"

" *Answer*—Nothing ſo eaſy as to give a liſt of the pariſhes " and incumbents, but it will be ſhewn by and by that ſuch liſt " is unneceſſary, in the buſineſs in queſtion. It is not ſo eaſy to " ſhew the amount of the Church Revenue.

" 1.—What is termed eccleſiaſtical contributions or oblations, " is merely a caſualty.

" 2.—Tithes are not ſo rigorouſly exacted, nor in the ſame " proportion as in Europe. Here they are only the 26th part " of wheat, oats and peas; 'tis true, they muſt be brought to " the parsonage houſe. To this are reduced in Canada what " are called in England predial Tithes. Reſpecting the mixed " Tithes, collected upon hogs, milk, wool &c. and the perſonal " Tithe collected upon manual labour or works proceeding from " induſtry, ſuch as the mechanic arts, fiſheries &c. they are al- " together unknown and diſuſed in this country. Our Tithes " therefore proceeding but from grain, are liable to great chan- " ges of augmentation or diminution from one year to the other, " depending upon a favourable or unfavourable ſeaſon. There- " fore it would be difficult to aſcertain with preciſion the amount " of the revenues belonging to the incumbents.

" *Question*.—What ſchools are there, and what is the kind " of inſtruction? what is their ſupport?

" *Answer*.—The Reverend Fathers the Jeſuits of Quebec, " before the year 1776, always kept or cauſed to be kept a well " regulated ſchool, where young perſons were taught reading, " writing and arithmetic—this ſchool was free to every one. " But Government having thought fit to lodge the records of " the Province in the only apartment of the houſe where ſcho- " lars could be admitted, the Reverend Fathers could not con- " tinue the good work.

" There are ſome Canadian Maſters in Town who for pay- " ment teach reading and writing—their ſchools are regular and " daily, and pretty well frequented—the parents of the children " ſent there are tolerably well ſatisfied with the progreſs they " make.

" At Montreal, the Seminary ever ſince the time of its in-
" ſtitution has ſupported a free ſchool, where children of all
" ranks are taught reading and writing. Books are given them
" *gratis*. This ſchool remarkable for its extreme regularity, has
" had three hundred children at a time.

" The Nuns or congregated ſiſters at Montreal have a nume-
" rous boarding ſchool for the inſtruction of young gentlewo-
" men. The Urſuline Nuns at Quebec and Three-Rivers, have
" each another boarding ſchool; alſo the Nuns of the General
" Hoſpital of Quebec. The young ladies in theſe ſchools are
" taught reading, writing, needle and other work, ſuitable to the
" ſex, ſuch as embroidery &c.; but above all things, they are
" taught virtue—public ſchools are alſo kept for young women
" in the three Towns of the Province, one at Montreal by the
" congregated Siſters, one at Three-Rivers by the Urſulines,
" one at Quebec by the Urſulines, and one by the Siſters in the
" Lower-Town, the Schools kept in the Country Pariſhes by
" Miſſions from the congregated ſiſters muſt not be forgotten.
" They ſpread a great deal of inſtruction. Theſe communities
" at their own charge ſupport their reſpective ſchools, and they
" are alſo ſupported and encouraged by the attention and vigi-
" lance of the ſuperiors of the Church, who are careful to ſee
" that the intent of the eſtabliſhments be fulfilled. Above all
" things, the minds of the children in thoſe ſchools are inſpired
" with morality, and a love and veneration for religion, the prin-
" ciples of which they are taught to underſtand.

" There are ſome Engliſh Maſters who teach Schools at Que-
" bec, Montreal and Three-Rivers, but I do not know their
" different branches of Inſtruction, nor their ſupport.

" *Queſtion.*—Can it be true that there are not more than half
" a dozen in a Pariſh that are able to write or read?

" *Anſwer.*—Such a report, it is true, is publicly ſpoken of,
" and if I miſtake not, maliciouſly ſpread abroad, to diſgrace the
" Canadians. The impoſition hath even reached His Royal
" Highneſs Prince William Henry. It would be difficult to prac-
" tise ſuch deception upon perſons well acquainted with the Pro-
" vince. For my part, I am convinced that upon an average,
" from twenty-four to thirty perſons may eaſily be found in every
" Parish who can read and write. 'Tis true the number of wo-
" men ſo inſtructed, exceeds that of the men.

" *Queſtion.*—The cauſe of the imperfect ſtate of inſtruction.
" What kinds of public and general tuition are eſtabliſhed? what
" the Funds? what the Income? to what the uſes and the
" ends?

" *Answer.*—Claſſical learning and Rhetoric are publicly taught " in the College of Montreal ſince the year 1773, and Geogra- " phy and Arithmetic are beginning to be taught—I have reaſon " to expect this Eſtabliſhment, will in time produce a good effect. " —The Proprietors of the College ſolicited me in September " laſt, to let them have a Profeſſor of Philoſophy and Mathematics, " and I ſhall do all in my power to procure them one.—The " College belongs to the Adminiſtrators of the Pariſh Church " Revenues of Montreal, it has no other fund than the board " paid by the Students, and the liberality of the Eccleſiaſtics of " the Seminary—The Church-Wardens ſeem to have its ſupport " much at heart, it is already of great Public uſe. Boys who " cannot afford to live in the College as boarders, are received " as day Scholars, for the moderate Sum of one Gninea per an- " num.

" The Seminary at Quebec was founded and endowed by Mr. " Francis De Laval de Montmorenci, firſt Biſhop of Canada— " Its own Revenues ſupport it. The Adminiſtration of thoſe re- " venues is ſubmitted to the inſpection of the Biſhop, who an- " nually examines the accounts of the income and Expenditure, " as well as thoſe of acquiſitions made under the Foundation. " This Seminary, by its Conſtitution, is only held to inſtruct " young Clergymen for the Service of the Dioceſe, but ſince the " conqueſt of the Province by His Britannic Majeſty's Arms, " Public inſtruction has been voluntarily and gratuitouſly given— " Theology, the Claſſics, Rhetoric, Moral and Natural Philoſo- " phy, Geography, Arithmetic and all the different branches of " the Mathematics are taught. It has produced and produces " daily learned men in all the ſciences they have ſtudied, capable " of doing honor to their Education and Country, Witness Mr. " Deléry, Mr. De Salaberry, Mr. Cugnet the younger, Mr. " Descheneaux, &c. without naming a great number of Eccle- " ſiaſtics who diſtinguiſh themſelves among our Clergy.

" When Engliſh young Gentlemen have deſired to come into " the Seminary they have been admitted there upon the ſame " footing with Canadians, without any diſtinction or partiality. " They were exempted, however, from attending Religions du- " ties, differing from the principles of their belief.

" I ſhould not omit mentioning, that, ſince the Conqueſt, the " Biſhops of Quebec have always reſided at the Seminary, where it " is made a point of duty to furniſh appartments and a Table for " them gratuitouſly and honorably.—Moreover, this Seminary has " always been remarkable for the Charities daily beſtowed there, " as for zeal in caſes of Public contribution.

" *Question*—Whence proceed the discouragements and faults ?
" *Answer*—It may be answered, that of all the Young Gen-
" tlemen, naturally ſtudious and virtuous, who have begun their
" ſtudies at a fit age, not one has been discouraged at the Semi-
" nary ; they left it with thanks and acknowledgements for the
" principles they learned. Indeed, there has been found among
" the number, ſome of ſtubborn diſpoſitions, little adapted for the
" ſciences, or incapable of that reſtraint which is neceſſary to the
" acquiſition of good morals. Theſe have gone away ignorant,
" and unfortunately, judging by their incapacity, an unfavorable
" opinion is entertained of the learning to be acquired in the Se-
" minary. Hence, proceeds the idea, pretty generally propagated,
" that none are admitted into the Claſſes there but ſuch as are
" diſpoſed to take up an Eccleſiaſtical life—that their inſtruction
" is directed only to that ſtudy, and otherwiſe very contracted ;
" an idea that could not be repreſſed even by the Publication in
" the Quebec Gazette of the 4th of October 1787, No. 1155,
" which announced to the Engliſh and French Youth the open-
" ing of the ordinary Mathematical Class at the Seminary, where-
" in would be taught, according to uſage for twenty years back,
" Arithmetic, Algebra, Geometry, Trigonometry, together with
" Conic Sections and Tactics, in both languages, and without ex-
" pence to the Scholars.

" The preference given to old ſubjects and even to ſtrangers,
" over the Canadians in Appointments to Public Offices and
" places of Truſt, may, perhaps, be an additional cauſe of dis-
" couragement. But this is not within my sphere, nor is it with
" me to enquire whether ſuch complaints are well or ill founded ;
" beſides, it is my duty and the duty of all my Countrymen to
" render endless thanks to The Right Honorable Lord Dorcheſter,
" for the favours he has been pleaſed to heap upon our Nation
" whenever opportunities have offered.

" *Question*—The remedy or means of Inſtruction.—What
" ſteps can be taken towards eſtabliſhing a Univerſity in this
" Province ? or Schools introductive of a Univerſity ?

" *Answer*—To this I answer :—

1.—That according to my firſt obſervation at the beginning of
" this letter, it appears we are not yet arrived at the period for
" eſtabliſhing an Univerſity at Quebec.

2.—That in order to put the Province in a ſtate of enjoying, in
" the process of time, so precious an advantage as that of an Uni-
" verſity, it is neceſſary to uſe all poſſible means of ſupporting and
" encouraging the Education already taught in the College of Mon-
" treal, and Seminary of Quebec.—This I watch over with great

" attention. Generally ſpeaking, the Scholars are capable, at the " time of quitting their ſtudies, of embracing with ſucceſs any " kind of ſcience taught at an Univerſity, whether Juriſprudence, " Phyſic, Surgery, Navigation, Fortification &c.

3.—Another object not less eſſential, for the preſent, would " be to procure a third place of Public inſtruction for Youth. It " will be asked, no doubt, by what means ? I ſhall mention one " that is not, perhaps, impracticable.—There is in the centre of " Quebec, a handſome and ſpacious College, the greatest part of " which is occupied by the troops in the Garriſon—May not that " College be drawn nearer to its primitive inſtitution by ſubſtitut- " ing inſtead of thoſe Troops, if it ſhould be His Excellency's pleas- " ure, ſome uſeful Claſſes, ſuch as the Civil Law, and Naviga- " tion, to which may be added, if approved of, the Mathematical " Class now taught at the Seminary ? Might not that College it- " ſelf, in the courſe of time, be conſtituted an Univerſity and ſup- " port itſelf in part, with Revenues of the Eſtates now belonging " to the Jeſuits ? This mode of proceeding gradually to the eſta- " bliſhment of an Univerſity, appears to me much more prudent " and ſure. I acknowledge the meritorious ſervices of the " Reverend Fathers the Jeſuits and the zeal with which they have " laboured in this Colony for the inſtruction & ſalvation of Souls— " Nevertheless, I ſhould not be backward in taking immediate " meaſures for securing their College as well as their other Eſtates " to the Canadian people, under the authority of the Biſhop of " Quebec. But to whom ought the Government of the Jeſuits' " College belong if it were again ſet on foot ? Firſt, to the " Father Glapion for his life, and afterwards to thoſe who ſhould " be appointed by the Biſhop.—Does any one wonder at ſuch a " Plan ? I will ſtate the principles upon which I ground it.

" 1°. The Funds of the College will only conſiſt of the " Eſtates of the Jeſuits.

" 2°. The Province has no right to appropriate them to itſelf " but for their original deſtination.

" 3°. The propagation of the Catholic Faith, is the principal " motive aſſigned in all the Title Deeds.

" 4°. The circumſtances of the Donations and the quality of " Donors, would alone prove that to be their intention. The " Canadians, conſidered as Catholics, have therefore a right to " thoſe Eſtates, which appears incontestible.

" 5°. The inſtruction of the Savages, and the ſubſiſtence of " their Miſſionaries, appearing to have greatly actuated the Donors " of thoſe Eſtates, is it not fit that the Biſhop of Quebec, who " names thoſe Miſſionaries, ſhould have it in his power to decide

" in their favor, respecting the application of that part of the ſaid " Eſtates which ſhall have been found to have been given with " that intent, rather than ſee them burthemſome to Government as " many of them have been for ſome years ? Therefore, in pre- " ſerving the Eſtates of the Jeſuits to the Canadians under the au- " thority of the Biſhop, he would have a right to cauſe this eſſential " part of the intention of the Donors to be executed, and it is " beſides very probable that the College and the Public would be- " come gainers by it.

" *Queſtion*—By what means can a taſte or deſire for inſtruc- " tion be excited in the Pariſhes ?

" *Anſwer*—This, in my opinion, ſhould be committed to the " zeal and vigilance of the Curates, ſupported by the Country " Magiſtrates.

" A Calumnious writer hath maliciouſly reported to the Public, " that the Clergy of this Province, do all in their power to keep " the people in ignorance, in order to domineer over them. I " do not know upon what ground he has been able to found ſo " raſh a propoſition, contradicted by the care always taken by the " Clergy to procure to the people ſuch inſtruction as they are ſuſ- " ceptible of. The ſeverity of the Climate of this Country, the diſ- " tances between the houſes of its Country inhabitants, the diffi- " culty of aſſembling the Children of a Pariſh into one place, eſpeci- " ally in the winter, as often as it would be neceſſary for their Edu- " cation, the inconvenience to a teacher of going daily to a great " number of private houſes :—Such are the obſtacles that have ren- " dered uſeless the deſires of many of the Curates, whoſe efforts to " inſtruct the Children of their Pariſhes are within my knowledge: " But in Towns or Villages, ſuch as L'Aſſomption, Boucherville, " La Prairie de la Magdeleine, Terrebonne, La Rivière du " Chesne &c we have the pleaſure of finding the people, in gene- " ral pretty well informed, moſt of theſe Villages are ſupplied " with Schoolmaſters.

" *Queſtion* —Will the principal Citizens concur in asking a Charter " of Incorporation ?

" *Anſwer.*—I understand a Charter to be Letters Patent fixing and " consolidating the establishment of any Society or Body whatsoever— " to which I answer, that such a Charter as should be immediately pro- " cured in favor of this renovated Jesuits' College, might hereafter be " renewed in favor of an University ; which would afford a great sup- " port to those establishments, and much encouragement to the people.

" *Queſtion.*—Are there not Lands of the Crown which might be " proper to request the Grant of, for the benefit of the University ?

" *Anſwer.*—Time will bring all things about. On the supposition

" that the Estates of the Jesuits were to be left to the public for the " education of youth, a part of those Estates would in time be improved, and produce sufficient funds to be able to spare a part for the necessary support of an University. Independently thereof, may we " not hope that His Majesty, full of benevolence towards the prosperity " of his subjects, would grant them, for a work of this nature, some " new Grants *en roture*, or *en fief*, out of the Waste Lands of the " Crown.

" *Question.*—The funds and design being committed to such trusts " as the Governor General may think proper, may not much be expected, when men of learning, free from illiberal prejudices are in the Professors' chair, for the Liberal Arts and Sciences?

" *Answer.*—It seems to me I have sufficiently answered this question in my third preliminary observation; I shall only add, that Theology will always be taught at the Seminary, and consequently this object will never be burdensome to the public.

" You have now, Sir, my reflections and answers respecting the plan of " an University, proposed by the Honorable the Legislative Council. I " have informed you with freedom and sincerity, that so early an establishment of an University at Quebec, does not appear to me suitable " to the present circumstances of the Province. Upon this occasion I " have laid open my views and way of thinking, relative to the Education of our Youth. It remains, that I request you to refer this letter to the Committee upon the establishment in question, assuring " them that nothing is nearer to my wishes than to conciliate in all things " my respect for the Government and the Honourable Council with " what I owe to my Nation, to my Clergy, and to that Religion which " I have sworn at the foot of the Altar to maintain to the end of my life.

" I have the honour to be,

" Sir,

" Your most humble and most obedient servant,

(Signed) " JEAN FRANCs. HUBERT,
" Bishop of Quebec."

The causes of the non-convention of the Committee before this day being thus explained, the Chairman, as leading to the discussion of the very important subject of the reference, begged leave to observe to the Committee,

That the main enquiry, (the result of which was to be reported to His Lordship,) appeared to be:—

To what extent or degree it was expedient to introduce the means of education in this Province?

That certainly there could be no division of sentiment, respecting that

elementary instruction necessary to the lower classes in all countries; the want of which left a people in a state of *base barbarism.*

By these he meant,

1.—*Parish* Free Schools, or a School in every Village, for reading, writing, and the four common Rules of Arithmetic.

2.—A *County* Free School, one at least for further progress in Arithmetic, the Languages, Grammar, Book-keeping, Guaging, Navigation, Surveying and the practical branches of the Mathematics.

The next step in civilized countries was an University or a Collegiate Society for instruction in the Liberal Arts and Sciences, and how far the Province was prepared for such an Institution, was the point which the Right Revd. Bishop, had with much reason, made the subject of his deliberation.

The Chairman concurred with the venerable Bishop, that the erection of an University, measuring it by the European scale, would be extravagant, as neither adapted to the abilities nor the wants of a country, not yet consisting of one hundred and fifty thousand inhabitants, who had a wilderness before them, to be brought into cultivation for obtaining the necessaries of life.

It was nevertheless to be wished that the youth of the Province might not be estranged from it, by an education in foreign parts, but find *at home* sufficient means to qualify them for the trusts, offices and honors of their native *community.*

Though the idea therefore of establishing such a fountain of light *here*, as is found in the Universities of the old Continent, for the diffusion of knowledge among the nations, and through the immense regions of His Majesty's Inland Dominions, which is only to be indulged as an object of distant prospect, the great & important questions still remained:—

How far the necessities of the Colony demand, and its abilities will permit, of a College or Academy, for that improvement of the mind pre-supposed in every advancement to real usefulness in any of the learned professions, and indispensibly necessary to every great social collection; and without which, it must be indebted to Emigrants from other Countries?

A College under one Rector and four Tutors, dividing the labour between them, would, in his opinion, be sufficient for instructing the students to be expected from all the Provinces on this Continent now remaining to Great Britain, in Grammar, Logic, Rhetoric, Mathematics, Natural Philosophy, Metaphysics and Ethics; and these sciences made the path which all were obliged to walk in to obtain any degree of eminence in the learned professions, to give a man distinction among his fellow citizens, and to enable him to come forward to the Magistracy and other important services of his country.

The Chairman added, that though an institution of this extent could not be very expensive, it would nevertheless require an union of hearts and hands, to give it the desired prosperity; and this it certainly could not want by due guards against the illiberality of a contracted and sec-

tarian spirit. To which end, it was his idea, the state of the Province considered :—

That Christian Theology be no branch of instruction in this College, but left to be provided for by the two Communions that divide the Province, in such way as they select, and by such means as they respectively possess or may acquire.

That a Corporation be created by Letters Patent, capable of Donations and perpetual succession, and with authority to make Bye Laws.

That the visitation be vested in the Crown.

That the King's Judges and the Bishops of the Province for the time being, both Catholic and Protestant, be Members of the Corporation ; and the rest to sixteen or twenty of the principal gentlemen of the country, an equal number of both Communions ; and that vacancies be filled by the majority of the voices of the whole body.

That proper Clauses be inserted in the Charter to repeld every appropriation and bye law, touching the Funds or government of the College, to any other than the promotion of science *at large*, as aforementioned ; in exclusion of all biasses, ceremonies, creeds and discriminations, either of the Protestant or Catholic Communion.

Upon the remedy of the defects by the order supposed to exist, the Chairman remarked, that the erection of the Village and County Schools, would require an Act of the Legislature, rating each Parish in Assessments, for the Free Schools of its own District.

That the objections of the indigent to their contributions for either, were answered by giving their children the benefit, with an exemption of themselves from the general charge ; and those which may arise in the old Districts of Quebec and Montreal, from their having Funds and Schools already of their own, by making all such persons also exempt, whose children *really were* in such a course of education.

If the burden was to be felt any where as heavy, it could be only in the new Counties, where the Colonists were occupied in the cultivation of lands still in a wilderness state.

But even those parts of the Province, young as they are, would probably find no cause to complain. The noble Lord at the head of the Government had already set apart portions of land, to encourage the instruction of the children of their Villages, and they had ample ground to look for other appointments for the County Schools of their Districts, not to mention, that the applauded merit of their fidelity to the Crown in the late troubles, may expect aid, as soon as their wants are properly revealed, from the numerous charitable Foundations and Societies of the Mother Country, for which it is so greatly renowned.

Least of all, as the Chairman conceived, was it to be apprehended that a Colony College would fail, unless there was in its own bowels something repugnant to the energy essential to its success.

It may most assuredly expect the powerful patronage of the Crown, and of all that wish well to science, so friendly to the interests of our

common humanity; perhaps it may be thought worthy of the national attention.

The Right Reverend Bishop of Quebec, was not singular in suggesting that a portion of the Estates of the dissolved Order of Jesuits, lays open to such a purpose.

They are not *wholly* asked for by the Right Honourable Lord Amherst. There is a part to be *reserved* for public uses, and the extent of that *reservation*, is a part of that confidence which His Majesty in his great grace to His people, has committed to that Noble Personage, under whose care the Province is, at a moment so auspicious to the laudable design, and when he himself recommends the subject to the attention of this Committee.

There is nothing to discourage the hope of additional benefactions out of His Majesty's *other Estates* in the Province.

There are Waste Lands in various places, and of such proximity to the old settlements, as might be soon tenanted to furnish a revenue to grow with the country, and be sufficient for the instruction, in its progress to that desireable perfection prayed for by the good Bishop, and in which he must be joined by every friend of mankind.

It happens to trusts to individuals, that the dread of a perversion of the funds, gives discouragement to gifts. The contrary is the natural consequence of pouring the donations into bodies of *perpetual* existence, with a *just* frame, for a *noble* end, and under the *eye of the Government.*

The Corporation once instituted, may boldly come to the foot of the Throne, and ask a brief for a *National Collection.* Abstract from the encouragement of public bodies, there are instances of private opulence in many places, with a generosity equal to that opulence, and on the watch for opportunities to devote it to enterprises for advancing the honor of the nation, the interest of learning, and the welfare of the human race.

The Jesuits' spacious buildings, as the Bishop has observed, afford ample apartments for a Collegiate life.

The private subscribers of Quebec, who have already at a great expense made an ample collection of well chosen books, will doubtless see it consists with their original design, to lodge them in the College Library for general use.

The Board for Commons and the Tuition money, will go to the support of the College; Students, if it has fame, may be expected from all the Provinces under the Governor General residing in this; and the advantage of acquiring one of the most universal languages of Europe, may be a motive even in remote countries, for taking the whole circle of the sciences in a College projected for the commencement of an University in Canada for His Majesty's American Dominions.

No greater Revenue can be at first wanted than will render the stations of one Rector and four Tutors worthy the choice of men qualified by morals and talents for a work and sphere which the necessities of many among the learned in Europe would lead them to wish for. And

there are some whom the hope of being so honourably and usefully employed, would excite to forego even the present comforts of local attachments to embrace it.

Advanced to the institution of a College, the Committee must perceive that like a reservoir for watering the surrounding fields, this, as a fountain, would find Candidates *in the Province*, for the care of all the inferior Schools, in our expanded population, to the extremity of the British Dominions in the west; and that therefore, though this was mentioned last in the chain of deliberation, it ought to have the chief influence, even with those who might before have been only advocates for those lower exertions, immediately necessary to the Village and County Schools.

For a full discussion, however, of the subject (on which any gentleman had a right to move what he thought proper, and try the sense of the Committee upon it,) the Chairman proposed, that the question be put singly, upon the following resolves.

First.—That it is expedient without delay, to erect Parish or Village Free Schools, in every District of the Province, at the determination of the Magistrates of the District, in their Quarter Sessions of the Peace.

Second.—That it is also expedient, that each District have a Free School, in the Central or County Town of the District.

Third.—That the Tuition of the Village Schools be limited to reading, writing and cyphering.

Fourth.—That the instruction in the District or County Schools, extend to all the rules of Arithmetic, the Languages, Grammar, Bookkeeping, Guaging, Navigation, Surveying, and the practical branches of the Mathematics.

Fifth.—That is is expedient to erect a Collegiate Institution, for cultivating the Liberal Arts and Sciences usually taught in the European Universities, the Theology of Christians excepted, on account of the mixture of two Communions whose joint aid is desireable, as far as they agree, and who ought to be left to find a separate provision for the Candidates in the Ministry of their respective Churches.

Sixth.—That it is essential to the *Origin* and *Success* of such an institution, that a Society be incorporated for the purpose; and that the charter wisely provide against the perversion of the institution, to any Sectarian peculiarities, leaving free scope for cultivating the *general circle* of the Sciences.

After deliberating upon the subject at large.

Agreed, that the general question of concurrence be put upon all the Resolves; and it being put accordingly, the Committee concurred in them, and ordered that it be reported to his Lordship, as their *unanimous opinion*.

By order of the Committee, 26th November 1789.

(Signed) WM. SMITH, Chairman.

Petition of the inhabitants of the City and County of Quebec to the House of Assembly on the state of Education, &c.

To the Honourable the Knights, Citizens and Burgesses in general Assembly convened :

We, the Subscribers, heads of Families, and Inhabitants of the City and County of Quebec, congratulating ourselves on the first and happy Assembly of the Reprentatives of this Province of Lower Canada, do not entertain the least doubt, but that this honourable House is acquainted with the present, and will sufficiently provide for the future state of this Country and especially for the deplorable state of the Education of Youth for upwards of thirty years past, though a College has been erected in the middle of this City, a House in the City of Montreal, with Lands and Revenues thereto annexed, for the Education of every individual born in or inhabiting this Country. Whilst we entertain the flattering hope of seeing in a short time throughout the enlightened and watchful attention of this honourable House, the happy effects of our new Constitution, & of the well regulated liberty which forms its basis, nothing at this moment can afford a more solid ground to your Petitioners' expectation, than the friendly communication given many years ago by the Jesuits of Quebec to the Citizens of all the Titles of their College,

By those Titles it evidently appears that they hold and enjoy their Estates only in trust from the first Ancestors of the Canadians (a) called the *hundred Associates*, who were thereof, and gave them over to the Jesuits upon certain conditions.

That the tract or lot of six superficial arpents reduced from the twelve arpents first conceded in the Upper Town of Quebec, where the Church and College are erected, was given but on condition of maintaining the institution & perpetual vow of the Jesuits—the Education of Youth. (b) In order to build a College where the Youth of Canada should be educated, (c) as they could not by reason of their Vow of Evangelical and personal Poverty, hold any Estate unless with the title of College (d) established in behalf of the Youth of the Country *ad studendum et orandum* ; and the King after the cession of Canada made to him by the Company of New France, confirmed and amortized all those Estates on which he relinquished all his rights by a Diploma, only for the purpose of affording the means of Education to the Youth of this Country (e)

(a) Edict of May 1672, and Hist. de la Nouv. France par Charlevoix, vol. 1st p. 164-5.
(b) Bull of Paul III, of the 25th Sept. 1560, in approbation of their institution.
(c) Titles to the College to the 18th March 1637.
(d) Bull of Paul III, Constit. part 6, Cap. 2 and 3—Causes Celebres, Tom. 13 p. 88, Ord. 1539 Art. 131. Cout. de Paris, Art. 227 and grand Comm. de Ferriere.
(e) Letters Patent of Louis XIV, of the 12th May 1678, Registered in the Sov. Council of Quebec the 31st Oct. same year, and after the conquest on 20th Decr. 1765, Book A. p. 657.

That the Seigniories were given by the same Citizens, namely Charlesbourg, to educate and teach ; (f) as well as for the assistance of the people of this Country : (g) that Seigniory and many others were likewise for ever amortized for the same purpose, and for the establishment of a College.

That the Peninsula on the River St. Charles called *La Vacherie*, near Quebec, now let to David Lynd, Esquire, was granted to replace the six Arpens taken off the twelve appropriated for the College, and by the same motives and views mentioned in the Titles of Charlesbourg. (h) It was likewise passed in to Mortmain or Amortized and annexed to the College. (i)

That the two *Lorettes* or Seigniory of *St. Gabriel* were given (k) by Mr. Robert Giffard then Seignior of *Beauport* only out of Friendship, but when amortized they were explained to be a gift in favor of that College. (l)

That Sillery towards *Cap Rouge* was granted for the spiritual and temporal assistance of the people of this Country. (m)

That the *Cap la Magdelaine* near Three Rivers, was given by Mr. Delaferté, one of the Hundred Associates only to procure the Establishment of the College, and afford the Jesuits means of subsistence ; (n) but the Jesuits having laid out upon that Estate the savings of the Quebec College, in consequence of their apprehensions of being disturbed for want of a better explication, Mr. Duchesnaux, then Intendant of the Colony confirmed that Gift, only in favor and behalf of the College of Quebec. (o)

That in fine the King did amortize and relinquish the possession of the said Estates for the College only.

That Batiscan given by the same for the love of God (p) was explained by the same Intendant, in consequence of the just apprehensions of the Jesuits, on account of the disbursements made with the savings of the College, but in favor of the College of Quebec, (q) to which it was also annexed by the King. (r)

That Laprairie de la Magdelaine in the Diſtrict of Montreal, alſo granted on account of the aſſiſtance, which the inhabitants of Canada receive from the Jeſuits, (s) and alſo by reaſon of the dis-

(f) Title of Notre Dame des Anges or Charlesbourg, 10th March 1626.
(g) Title for ditto, 15th Jany. 1637 and 17th Jany. 1652.
(h) Title of taking of possession of the 24th July 1646 and grant of 17th Jany. 1652.
(i) Letters Patent of the 12th May 1678.
(k) Donation before Paul Vachon, Notary, 22d Nov. 1667.
(l) Letters Patent 12th May 1678.
(m) Grant 23d Oct. 1669 ratified by the King the 6th May 1702.
(n) Donation before Messrs. Duchesne and Treffé, Notaries, at Paris of the 20th March 1651.
(o) Petition of Father Dablon, principle of the College and Institution of the Jesuits
(p) Donation before Messrs. Kerué, Bergeron, and Cousinit, Notary, at Paris the 15th March 1639.
(q) Ordonnance of the 9th October 1678.
(r) Letters Patent of the 12th May 1678.
(s) grant of the 1st April 1647.

burſements made out of the economy of the College of Quebec : in conſequence of ſome murmurs of the inhabitants and the apprehenſion of the Jeſuits of being troubled for want of an explication, Mr. Duchesnaux, Intendant for the King of France, at their requeſt, confirmed that Seigniory ſolely in favor of the College of Quebec. (t)

In ſhort the general and final explication by the King amortized that Seigniory and other Eſtates described in the Letters Patent, only in conſideration of the College of Quebec. (v)

That the Ground on which are built the Church and Houſe of Miſſion at Montreal, was purchaſed in *Roture* by the Reverend Father Dablon, then Superior of the Jeſuits (x) & Rector of the College of Quebec, and approved by the Seminary legally eſtabliſhed in the Iſland of Montreal, & ſole Seignior of the ſaid Iſland, which Eſtate was amortized by the King and appropriated to the Education of Youth.

That this Miſſion was eſtabliſhed in the year 1692, ſolely by the economy of the College of Quebec, which alone could hold this Eſtate under the Title of a College ſending into Miſſion according to their inſtitution, the Bull, Petition of Father Dablon, and the Ordinance heretofore mentioned.

Many Lots in the Cities of Quebec and Three-Rivers, and ſome other Lots of Ground were purchaſed only by the economy of this College.

That the Sault St. Louis, near Montreal, was granted to the Jeſuits for the Iroquois, (z) and it was with Juſtice that the Iroquois obtained after the conquest, the reſtitution of that Eſtate.

The Petitioners conclude by expoſing that ſince the abolition of the Jeſuits, thoſe of Canada have generouſly offered and ſtill perſiſt in offering to this Province the remitment and poſſeſſion of all the Property and Funds of this College, for the uſe of the Public, to which they belong, and only deſire a ſubſiſtence ; but ſuch reſtitution has been retarded and impeded by many difficulties.

That the nature of thoſe Titles and the foundation of the Col-

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(t) Petition of the Revd. Father Deblon, principal of the College of Quebec and ordonnance signed Duchesnau, Intendant, 4th February 1647, then signed Dupuis and Begon his successors as Intendants.

(v) Letters Patent of the 12th May 1678.

(x) Titles of the Mission of Montreal.

(y) Letters Patent, 12th May 1678, Enregistered in the Sovereign Council of Quebec, 20th September following.

(z) Grant of 29th May 1680—from 30th October 1680—Brevet of Ratification of 15th June 1717 and Judgment of Genl. Gage and Council at Montreal of the 22d March 1762.

lege, have certainly been misrepreſented in Europe, and by thoſe means this Province has been deprived of Public Education ſince the conqueſt, although it be encouraged in every part of the Britiſh Empire.

That this misfortune is to be attributed only to the endeavours of a few individuals, who have ſtrongly ſolicited of His Majeſty, the gift or Conceſſion of thoſe Eſtates under various pretexts (but happily without Effect) before the ſanction of the New Conſtitution.

That the Petitioners are convinced that His Moſt Gracious Majeſty by His Royal Inſtructions was ever deſirous of being well informed of thoſe Titles, and to reſerve of all thoſe funds whatever might be requiſite for the Public Education, without prejudice either to the Cauſes or Effects that ſuch an the Eſtabliſhment had in view.

Wherefore the Petitioners hope that this Honorable Houſe will conſider that the Eſtates of the Jeſuits have been improved only by the labour, courage and induſtry of the Inhabitants of this Country, in hopes of Educating their poſterity, and that theſe Eſtates tho' ſufficient, do not exceed the neceſſary Expences to afford a Public Education properly organized and on a liberal Plan, for which purpoſes they were granted ; and therefore juſtly claim the ſame with the reſpect due to this Honorable Houſe.

Quebec, 4th February 1793.

Joseph Dupont, fils,
J. Deschenaux, fils,
DeLaune,
A. Menut,
Mezières, fils,
Dupont, père,
Macnider,
Paul Dorion,
F. Dorion,
N. Dorion,
P. Vincent,
Etienne Dostie,
G. Marsiel,
Berthelot D'Artigny,
N. Trudel,
L. Corbin,
Charles Deblois,
A. Gosselin,
R. Gatien, fils,
George Miller,
Robt. Ritchie,
F. Bélanger,
François Perche,
J. Bte. Chrétien,
Paul Thibaudeau,
Lelièvre,
J. B. Metivier,
Frs. Baillairgé,
Michel Sim. Delorme,
Joachim Falardeau,
Thomas Langlois,
J. B. Couture,
Louis Romain,
Philiph Brown,
James Hanna,
J. B. Duberger,
Frs. Deblois,
Charles Pelerin,
Dénéchau,
James Greig,

Charles Deromé,
J. B. Brunet, fils,
R. Lafleche,
Jean Gobert, fils,
Charles Nolin,
Louis L'arrivé,
Jos. Martineau,
Thos. Levesque,
L. Prevost,
G. Grenier,
J. B. Amiot,
P. Delaurier,
Jos Noel, père,
Geo. Black,
Pierre Couture,
F. Débigaré,
G. Paquet,
F. Ledroit dit Perche,
M. Sauvageau,
Et. Samson,
Jaq. Cochon,
Jean Bezeau,
James Gray,
Ant. Chartrain,
J. Bte. Corbin,
Et. Garenne,
John Reid,
Charles Renaud,
Guill. Ol. Levitre,
James Black,
Frs. Laurent,
Ant. Vézina,
James Johnston,
James Stapleton,
John Urquhart,
Laparre, Docteur,
Jaq. Laparre,
Archibald Campbell,
James Rennie,
F. Roy,
Murdoch M'Kenzie,
And. Johnstone,
Laurent Amiot,
Louis Amiot,
Louis Chorette,
James Orkney,
Jean Pas. Letourneau,
J. Nesse,
E. Lagueux,
Languedoc,
F; Masse,
Pierre Boucher,
A. Ferguson,
L. Dumas,
Charles Pinguet,
A. Cureux St. Germain,
Pierre Bruneau, fils,
Jos. Drapeau,
A. Trudel,
J. Bte. Noel,
Louis Turgeon,
P. Dufau,
Martineau,
Chs. Chauveau,
Simon Noiseaux,
Jean Drolette,
Charles Drolet
Et Nicolas,
Et. Hianveu,
Louis Gauvreau,
Louis Feluet,
F. Derouin,
F. Vezina,
Charles Audy,
Jos. St. Michel,
Joseph Drolet, fils,
Aug. Defoy,
Pierre Boissel,
Ignace Beaupré,
Charles Couture,
Joseph Boivin,
Joseph Gauvreau,
H. Ritchie,
Pierre Poulain,
Jean Tourangeau,
Louis Robitaille,
Michel Clouet,
T. O'Connor,
Augustin Cantin,
Augustin Laveau,
J. M. Faribault,
Jean Cazeau,
René Duval,
Martin Chinic,

Charles Coté,
Pierre Dumas,
Joseph Borgia,
Jean Amiot,
Pierre Dorion,
Mességué,
Louis Charland,
Germain Miville,
François Gauvreau,
Louis Bleau,
Zacharie Gagnon,
Ant. Gauvin,
Philip Hooper,
Jean Berger,
R. Jouvin,
Jean Audy,
Joseph Racine,
Louis Dion Dumontier,
Pierre Leroy,
Jean Denis Salois dit Brunette,
J. Robichaud,
M. Lafrance,
Wm. Bland,
Charles Derome,
Jean Brunet,
Jean Bte. Legris dit Lépine,
Louis Derome,
Etienne Drolet,
Ant. Garnier,
J. Bte. Gaulin,
Joseph Monier,
Charles Parant,
Frs. Malouin,
Thomas Carette,
Ant. Simon,
Frs. Vallières,
Michel Cornaud,
Elias Pleish,
Jean Gobert,
Frs. Deligny,
Jacques Flamand,
John Paul,
John Ross,
Wm. M'Kenzie,
John M'Kutcheon,

Ignace Paradis,
Fredk. Petry,
Jonathan Eckart,
Henry Juncken,
Henry Hall,
M. Panet,
Alexis Monjon,
Joseph Bezeau,
Joseph Cloutier,
P. Dénéchau, file,
J. B. Mathurin,
P. S. Bedard, père,
Laurent Bedard,
Louis Laberge,
Joseph Gagnon,
Jacqs. Lemoine,
F. Levesque,
Isaac Roberts,
C. Corneiller,
Chapey,
Charles Labbé,
Louis Giroux,
Joachim Primeau, père,
Joseph Langlois,
Louis Derome,
Jean Primeau, fils,
J. B. Labbé,
Paschal Taché, Seigneur,
Ls. Perrault,
John Chillas,
Louis Gerget,
Etienne Normandeau,
J. M. Cherrier,
J. B. Brassau,
Louis Parent,
Josias Wurtele,
George Jenkins,
B. Faribault,
Thos. Lee,
Gueyraud,
Frans. Griau,
Frs. Bedouin,
Raphæl Monier,
Louis Boucher,

EXTRACT from the Registers of the Parliament of Paris.—Of the 23d April 1762.

The COURT, all the Chambers being assembled, having seen the Declaration of the King of the 2d August 1761 and the Decree of Enregistration thereof of the sixth of the said month and year, by which amongst other things it was enjoined upon the Superiors of the Houses of the Society stiling themselves of Jesus, to deliver in at the *Greffe* of the Court, the Titles and Documents of their Houses as well as statements signed by them, and sworn to be true before one of the Counsellors in the said Court, of all the Members of the said Society being in the said Houses or affiliated to them, and of all the property belonging by any Title whatsoever to the said Society in each of the said Houses of the Foundations acquitted in them and of the Benefices united to them. Having also seen the *Procès Verbal* made before Mr. Joseph Marie Terray, Counsellor, the 13th of February now last past, of the delivery by the Brother De Montigny, Priest of the Society of persons stiling themselves Jesuits, General Attorney of the Province of France, of some statements of property belonging to different Houses, and of the Vows made by different Members of the said Society: also the Decree rendered by the Court, all the Chambers assembled, the 16th of the said Month of February now last past, whereby it was ordained amongst other things that the Superiors of the Houses of the said Persons stiling themselves Jesuits should be held on the 22d day of March then next, to swear to the said statements in person or by their lawful Attorney, and to produce the statements which they had not yet produced, as also that they should be held within the same delay to depose at the *Greffe* of the Court, the Titles of their establishments or authentic Copies of the said Titles in due form, and in respect of those of their said Titles whereof the original is not in the Public Deposits and which are not in their possession, the said persons stiling themselves Jesuits should produce statements containing the nature and quality of the said Titles, which statements should be sworn to be true by the said Superiors, and the affidavit made and communicated to the King's Attorney General, and returned into the Court the 23d March then next, to be thereupon by the Court ordered as to right should appertain.—Also statements deposited at the Civil *Greffe* of the Court—the account rendered by the Law Servants of the Crown the 23d of the said month of March, of the Execution of the said Declaration of the 2d August 1761, and Decree of Enregistration of the 6th of the said month and year, and of the said Decree of the 16th day of February now last past.—Also the rule of the said day, whereby the deliberation upon the said account was continued to the earliest day. There having been in like manner seen by the Court the Decrees by the Court rendered, all the Chambers being assembled, of the 17, 19, 20, 26 and 27th February, 2, 6, 9, 13 and 20th March last, concerning the Keeping of the Colleges in the Towns of Laon, Mauriac, Aurillac, Châlon-sur-Marne, Bour-

ges, Nevers, Angoulême, Chaumont-en-Bassigny, Auxerre, Langres, Fontenay-le-Comte, Amiens, Blois, Orléans, Tours, Saint-Flour, Sens, Clermont-Ferrand, Billon, La Flêche, Lyon, Bar-le-Duc, Mâcon, La Rochelle, Charleville, Poitiers, Compiegne, Roanne, Moulins, Eu, Arras, Hesdin, Saint-Omer, Bethune and Aire, by others than the said persons stiling themselves Jesuits to account from the first day of April then next, by which amongst other things, it was ordered that proceedings should be had for the nomination of new Masters whose Salaries should be taken from the Revenues of the said Colleges ; and for the making of the bargains and agreements to this end necessary, and that by the Officers of the Royal Jurisdictions *(Bailliages et Sénéchaussées,)* the said new Masters should be put into possession of all the necessary places.—As also that the said Agreements should within two Months be sent to the *Greffe* of the Court and nevertheless executed provisionally on the first of April then next.—Also the Petition of Jean Lionçy, Merchant at Marseilles, in the name and as Trustee of the Body of Creditors of the Commercial House Established in the said Town of Marseilles, under the name of the Sieurs Lionçy Frères and Gouffre, assisted by the Sieurs Noel Justinien Remuzat, Hyacinthe Agnet, his Counsel and adjuncts, according to the *Concordat* homologated by the Parliament of Aix, on the 3d February 1759, and said Noel Justinien Remuzat, Hyacinthe Agnet, on the behalf aforesaid wherein it is said that by the Decree of the 8th May 1761, the Court had condemned the Superior General, and in his person the Society of Jesuits to pay and satisfy as well in principal as in interest and costs, within one year to be accounted from the date of the intimation of the Decree, the amount of the Bills of Exchange drawn by the Father Lavalette, or for his account, upon the Sieurs Lionçy Frères and Gouffre, and accepted by the latter which had not yet been paid, and to return them after their acquittance to the Petitioners and to the said Sieurs Lionçy Frères and Gouffre, for the purpose of cancelling the acceptances of the said Lionçy Frères and Gouffre, and in default of their so doing in virtue of the Decree and without any other being required, it was permitted to the Petitioners and to the said Sieurs Lionçy Frères and Gouffre, to take their recourse for the recovery of the said Condemnation monies upon the Estates belonging to the Society of Jesuits in France, with the exception of those whereof the destination could not be changed by the Society, and the Superior General thereof, to the prejudice of the rights of Founders and Donors and of their Representatives or of the Towns or Countries for whose utility the said Estates had been irrevocably bound. The same Decree orders the parties within two months to account before two Merchants of the Town of Marseilles to proceed to the account of the Bills of Exchange which remain unpaid: the parties had not occasion to have recourse to the Ministry of two Merchants to make up the said Account, nor to cancel the acceptances of the Sieurs Lionçy Frères and Gouffre, upon the Bills which were paid at the time of the Decree and upon those which have been so since ; by the Deed first executed

between the parties on the 11th August 1761, it is ascertained that of them there have been cancelled upon fifty-two Bills, amounting to 707,096 Livres 17 Sols. And there is a second Deed ready to be signed by the parties whereby there is to be cancelled of them upon thirty-four Bills of Exchange, a sum of 304,351 Livres 3 Sols and 2 Farthings. The Petitioners had reason to hope that these payments would be continued, and that thereby the cancelling which is to produce their discharge from the Engagements contracted by the Society of the Jesuits, would be effected if not within the time prescribed by the Decree at least within a time which might satisfy the interest and the desires of the Petitioners. The Jesuits seemed even to lend themselves for that purpose to arrangements which might have produced this effect so necessary for the tranquillity of the Petitioners; but they have themselves caused it to be declared to the Attorney of the Petitioners and to their Counsel by the brother Gatin substituted by the Brother Griffet, under the Procuration given to the latter by the Superior General of the Society, as to every thing which relates to the engagements contracted by the Brother De Lavalette, that the general events which had occurred to the Society had rendered them unable to execute the arrangements which they had purposed, and to acquit the Bills of Exchange still outstanding within the time which they had hoped. Besides, these general events diminishing in reality the security of the Creditors, in that they attack the state and condition of the Society, one of the Classes of the Parliament having already declared null the vows of the Members of the said Society, and thereby in some sort rendered vacant a part of the Estates liable to the *hypothêque* acquired to the Petitioners by the Decree of the Court of the 8th May 1761; the delay of one year granted by the said Decree to be accounted from the day of the service thereof, necessarily determined by the change which had intervened in the state and condition and in the property of the said Society; moreover the Petitioners learn and the fact is one of public notoriety, that the Priests and Scholars stiling themselves of the Company of Jesus dispose of their moveable effects and thereby diminish the pledge bound for the Credit of your Petitioners; a pledge the more incontestible and the less subject to discussion for your Petitioners since the moveable property is that which is least susceptible of falling within the exception contained in the Decree of property, whereof the destination could not be changed by the Society nor by the Superior General. Wherefore the Petitioners will demand of the Court that it be pleased to authorize them to put into safety all the Goods and Effects of the said Society by *Saisie Arret*, *Saisie Exécution*, and even *Saisie Revendication*, of the moveables which shall have been made away with and finally by Seizure of the Immoveables. At the same time the Petitioners considering that the said Priests and Scholars stiling themselves of the Society of Jesus, are no longer able to comply with the arrangements which they had proposed to themselves, all the Creditors will be in the way to institute proceedings at Law against them, and that these suits if multiplied

will cause immense costs, and what is more important under present circumstances will produce embarrassments without end, as well in the distribution of the monies as in the general operations which the Court shall think proper to order in relation to the property of the said Society, whilst all those inconveniencies would be removed if one can succeed to reunite all the Creditors in one body, which representing all the individuals and bringing together all the interests will be in a state to receive and to execute promptly and with ease the orders which it shall receive from the Court, and to stipulate what will be fitting for the common good and advantage. Wherefore the Petitioners will demand that it may please the Court to order that all the Creditors shall be bound to unite together and to name Trustees, and that the Court may be pleased further to order that this measure be carried into effect under the Eye of the Court, and in the presence of one of the Gentlemen to be named by the Court. It remains only to your Petitioners to submit to the Court an ambarrassment to which they are now liable and which can only be removed by the Court, it is, that they are ignorant whether they ought to present their Petition in the *Grande Chambre* which rendered the Decree of the 8th May 1761, which Constitutes the Title of your Petitioners or to the assembled Chambers, which being seized of the cognizance of all that relates to the Establishment or Institution of the Jesuits and the destination of the property belonging to the said Society, may desire to take cognizance of the application which the Jesuits desire to make of a part of that property to their payments. This is a question upon which the Petitioners cannot do otherwise than preserve a respectful silence and wait the orders of the Court. It is also for this reason that they have intituled the present Petition "to our Lords of Parliament," without any denomination either of the *Grande Chambre* or of the assembled Chambers; in consequence that the Court might be pleased to order that the Creditors of the Priests and Scholars stiling themselves of the Society of Jesus, shall be bound to unite together and nominate Trustees to form one body of United Creditors, to which end all the Creditors shall be summoned at the instance, prayer and diligence of the Petitioners, to be and appear by themselves or their lawful Attorney before such of the Gentlemen as it shall please the Court to appoint and authorize, on the day and hour which the said Commissioner shall have thought proper to direct by his order in that behalf, who will draw up his *Procès-Verbal* of the allegations and declarations of the parties appearing and this for the purpose of swearing to the truth of their Credits, of consenting to the said Union, of naming such Trustees, Directors, Counsel, Attornies, Notaries, Sequestrators, Agents and other Officers of the Union, as the said Creditors shall think proper, to which Trustees and Directors shall be given power to act in the name of all the Creditors by one and the same Attorney, by and with the advice of the Counsel of the said Union to make and institute all such prosecutions and proceedings, Seizures, Attachments, Sales and

Adjudications of the Estates, and generally every thing which may concern the common good and advantage of all the Creditors.

And forthwith, until the said Union shall be formed, considering the circumstances set forth in the said Petition, and that the said Petitioners hold a Title carrying Execution to permit the Petitioners to put into safety all the Goods and Effects belonging to the said Priests and Scholars stiling themselves of the Company of Jesus, for which purpose, to authorize the Petitioners to cause to be seized and attached in the hands of all farmers, tenants, and debtors, payers of rents upon Government securities, upon the Clergy, the Provinces, and others generally whomsoever, all the sums of Money which shall be found to be due to the said Priests and Scholars stiling themselves of the Company of Jesus, to seize and take in execution the Moveables and Moveable Effects to them belonging, also to seize and revendicate them in the hands of whomsoever the same shall be found; to proceed to the seizure of the Immoveables, without however being authorized to proceed to the sale either of the said Immoveables or of the said Moveables and Moveable Effects, until it shall be so ordered by the Court; to order a Commission to be delivered to the Petitioners to cause to be summoned in the Court all the farmers, tenants, debtors, payers and others generally whomsoever, to declare upon oath what they may owe, as also the Superior General of the Society of Jesuits, and in his person all the said Society, at the domicile of the Attorney General, to be present at the order to be made for the delivering over of the monies seized, which monies shall be deposited in the hands of such Notary or other Depositary that it shall please the Court to name; notwithstanding all other seizures, oppositions, and hindrances made or to be made, which shall hold in the hands of the said Notary and Sequestrator, the said monies, there to remain for the security of the rights of all the parties interested, and to be by the Court adjudged upon, and ordered in respect of the distribution thereof as to right & justice shall appertain; and the recovery of the said monies shall be made at the instance prosecution and diligence of the Petitioners, the whole up to and until the said Union should be formed, after which time the prosecutions commenced by the Petitioners shall be continued by the Trustees and Directors whom the Creditors shall have chosen, and this in virtue of the Decree to be made upon the present Petition, and without that any other shall be required. To order, that of the Decree to be made upon the present Petition, there shall be granted to the Petitioners as many exemplifications under the Seal of the Court as they shall require, all which as of equal authority and validity. And the present Decree shall be executed provisionally, notwithstanding all opposition made or to be made, without prejudice to the Petitioners in their other rights and actions, which Petition is

(Signed) LAMBERT, Attorney.

CONCLUSIONS of the Attorney General, having heard the Report of Mr. Joseph Marie Terray, Counsellor, all considered.

THE COURT, all the Chambers assembled, considering that when it was employed in providing for the food and subsistence of the said persons styling themselves Jesuits, as well as for the payment of the salaries of the new Masters appointed in virtue of the Decrees by the Court, previously rendered, in the Schools and Colleges which were heretofore held by the late persons styling themselves Jesuits, a third object presented itself, that of preserving the pledge of the Creditors of the said Society, by reason of the Petition presented by the said Jean Lionçy Noel Justinien Remuzat and Hyacinthe Agnet, Agents, all in the names and qualities wherein they proceed, and deliberating upon the whole, has ordered and orders that the Creditors of the Priests and Scholars styling themselves of the Company of Jesus, shall be bound to unite together and name Trustees to form one single body of United Creditors, for which purpose all the said Creditors shall be summoned at the instance, prosecution and diligence of the said Lionçy, Remuzat and Agnet, all in the names and qualities wherein they proceed, to be and appear by themselves or by their lawful Attorney, before Mtre. Joseph Marie Terray, Counsellor, whom the Court appoints, on the days and hours to be fixed by the said Counsellor, who will draw up his *Procès Verbal* of the allegations and declarations of the parties appearing, and this to the end of attesting their credits, to agree to the said Union, and to name such Trustees and Directors, Counsel, Attornies, Notaries, Agents and other Officers of the said Union, as the said Creditors shall think proper, to which Trustees and Directors shall be given power to act in the name of all the Creditors by one and the same Attorney, under the advice of the Counsel of the said Union, to make all prosecutions, and adopt all proceedings, and generally to do all which may concern the good and common advantage of all the Creditors.

As also, the COURT orders, that the said Declaration of the 2nd August 1761, together with the Decree of Enregistration thereof of the 6th of the same month and year, and the Decree of the Court of the 16th February 1762, shall be executed according to their form and tenor, and to carry the same into effect in respect of those of the Houses of the said Society, whose Members have not deposited the Statements ordered by the said Declaration and Decrees, as well as to verify the truth and exactness of those of the said Statements deposited at the *Greffe* of the Court, and not yet attested according to the terms of the said Decrees concerning the other Houses of the Society, has ordered and orders that there shall be without delay drawn up *Procès Verbaux* containing an exact Statement of all the Priests, Scholars and others who are in each of the Houses of the said Society, situated within the Jurisdiction of the Court, under the denomination of Colleges, Seminaries, Noviciates, Houses professed, Residences, Missions or others, as well as of all those who are affiliated to the said Society, in which *Procès Verbaux* shall be inserted their names, surnames, age, place of birth,

time of their entrance into the said Society, nature of the vows by them made, functions and offices which they fill in the said Society or in its particular Houses, distinction of the professed, of the three or the four vows and of spiritual or temporal Coadjutors.

As also, the Court orders that the said *Procès Verbaux* shall contain the detailed Statement of all the Estates, moveable and immoveable, other than the moveables serving as furniture, belonging in any way whatsoever to the said Society in each of the said Houses, of the Foundations established therein, and of the Benefices thereunto united, as well as of the Revenue of the said Estates, and of the Debts and Credits now recoverable or constituted, for which purpose all the Titles, Memoirs, Papers, Vouchers, Books, Journals, Registers of Receipts and Payments and others, shall be and remain, after that the *scellé* shall have been thereupon apposed, deposited in the Civil *Greffe* of the Court, or in the Civil *Greffe* of the *Bailliages et Sénéchaussées* of the Jurisdiction, to be thereupon proceeded to the continuation of the said *Procès Verbaux*, the Superior or the Attorney of the said Houses present, or duly sommoned.

The said *Procès Verbaux*, shall be drawn up without delay at the instance of the King's Attorney General, as to the Houses situated in this Town of Paris and its neighbourhood, by two Counsellors in the Court, in presence of a delegate of the King's Attorney Genl.,—to wit: in the House professed by Mtr. Jacques De Britignières and Mtr. Anne Jean-Baptiste Goisland, in the College of Clermont, *Rue St. Jacques*; by Mtr. Denis Louis Pasquier and Mtr. Louis Henri Chazlet, in the House of the Noviciate *Rue du Pot-de-fer*; by Mtr. Leonard De Sahugueft and Mtr. Etienne Moron, in the House situated at *Mont-rouge;* by Mtr. Jean Jacques Fargonel, and Mtr. Simon Berthelot de Versigny, in the House situatedat *Mont-Louis*; by Mtr. Claude—Pelot and Mtr. Jacques Claude de Beze de Lys; and in that situated at *Petit Gentilly* or other Houses of the said Society by Mtr. Antoine Louis Chalmette, and Mtr. Arnaud Guillaume François De Gourgue,—of which commenced *Procès Verbaux* there shall be rendered Account to the Court, all the Chambers assembled, Tuesday next, the 27th of the present month, at ten in the morning; and as to the other Houses and Establishments of the said Society situated within the Jurisdiction of the Court the said *Procès Verbaux*, shall be drawn up without delay at the instance of the King's Attorney General, at the prosecution and diligence of his delegates, at the several places by the Lieutenant General of each of the *Bailliages* and *Sénéchaussées* of the Towns of the Jurisdiction of the Court where the said Houses are situated, accompanied by an Officer of the Court of the District, or in case of Malady, absence or other lawful hindrance, by other Officers of the said

Courts according to their precedence, and in default of them, by the oldeſt Graduates of the ſaid Courts, the whole in the preſence of the delegate of the King's Attorney General, all the ſaid Officers or Graduates Commiſſioners being by the Court nominated, who for this purpoſe ſhall go personally whitherſoever neceſſary, and alſo to the Towns and Places of their Jurisdiction where there are no Judges than thoſe of the particular Seigniors :—of which *Procès Verbaux*, certified Copies ſhall be ſent within one month at the latest, to the Civil *Greffe* of the Court to be there depoſited and communication thereof to be taken by the King's Attorney General, and by him, an account rendered to the Court, all the Chambers aſſembled, as the ſaid *Procès Verbaux* ſhall come in.

The Court Orders that the Superiors of each of the said Houſes and Eſtabliſhments of the ſaid Society, Rectors, Provincials, Procurators, and others ſhall be bound to produce to the ſaid Commiſſioners of the Court, all Regiſters, Titles, Papers, Memoirs and Vouchers for this purpoſe neceſſary, and particularly the Acts of Profeſſions, Emiſſions of Vows, Aggregations or affiliations, together with all Titles of Property, of the Eſtates belonging to the ſaid Society in each of the ſaid Houſes, whether as Dotations, Foundations Acquiſitions, Donations, Legacies, Unions of Benefices or by any other Title whatſoever, as well as all Leases, Notes, Obligations, Contracts and other Titles whether of Property or of uſe, either due to others by them or by others to themſelves and to declare upon Oath that they do not conceal or *secrete* any of them directly or indirectly, and that they have no knowledge that any of them have been concealed, ſecreted, loſt, or made away with ; and alſo to declare what is the nature of thoſe of the ſaid Titles which they have it not in their power to produce.

And all Ordinances rendered during the progress of the ſaid *Procès Verbaux*, ſhall be executed proviſionally notwithſtanding all oppoſitions or Appeals whatſoever and without prejudice thereto.

The Court alſo orders that in the Towns where there are no other Schools or Colleges than thoſe heretofore kept by the ſaid perſons ſtyling themſelves Jeſuits, in which the Municipal Officers ſhall demand to be informed wherein conſiſt the Goods, Revenues Debts and Credits of the ſaid Colleges, the Officers of the ſaid *Bailliages* and *Sénéchauſſées* ſhall give them ſuch knowledge as to right and Juſtice ſhall appertain of the ſaid *Procès Verbaux*, and of the Titles depoſited in the *Greffe* of the ſaid diſtant Courts, all which Titles, Papers, Memoirs and Vouchers, ſhall remain depoſited in the ſaid Civil *Greffe*, until it ſhall be other-

wiſe ordered by the Court without prejudice nevertheleſs to the Officers of the ſaid *Bailliages* and *Sénéchauſſées*, giving ſuch Communication thereof as they ſhall think neceſſary for the Government and Adminiſtration of the Eſtates and Revenues of the ſaid Houſes.

And the ſaid *Procès Verbaux*, ſhall be drawn up in the Towns of Arras, Hesden, Saint Omer, Bethune, Aire, or other Towns of Artois, wherein the ſaid Houſes or Eſtabliſhments ſhall lie, by the Municipal Officers of the ſaid Towns, whom the Court have appointed for that purpoſe, without prejudice to ſuch rights as might belong to other Courts of the ſaid Province of Artois.

The Court in like manner orders that the Decrees of the 17th 19th, 20th, 26th, 27th February, 2d, 6th, 9th, 13th and 20th March laſt, concerning the keeping of the Schools, in the Towns within the Jurisdiction of the Court therein named, ſhall be executed according to their form and tenor—and to this end that all the property generally, moveable or immoveable, without any exception, ſituated within the Jurisdiction of the Court belonging to the ſaid Society, in each of the Houſes and Eſtabliſhments thereof, ſhall without delay, at the inſtance of the King's Attorney General, as to the property ſituate in this Town of Paris, and its neighbourhood, and at the inſtance of the ſaid King's Attorney General upon the proſecution and at the diligence of his delegates as to the other property of the ſaid Society, be ſeized, attached and put under the hand of the King and of his Courts, and Guardians thereto eſtabliſhed and in caſe of refuſal of opening the Doors, Trunks, Cloſets, and other things under Key, permiſſion is given to the Bailiff, Bearer of this Decree, to cauſe the ſame to be opened by the firſt locksmith or farrier thereto required—And there ſhall be nominated by the local Judges, at the inſtance of the King's Attorney General, upon the proſecution and at the diligence of his delegates within the ſaid local Jurisdiction, ſufficient ſequeſtrators and managers for the Government and Adminiſtration of the said property, which ſequeſtrators and managers, ſhall make all neceſſary recoveries and proſecutions, against all Debtors, Farmers, Tenants, Overſeers, and others, and ſhall alone have power to give valid acquittances, to all the ſaid Farmers, Tenants, Overſeers, Debtors, Paymaſters and Treaſurers, alſo of the Paymaſters of the Rents payable by the *Hôtel de Ville* of Paris, and ſhall render an account of the whole, to wit, as to the property and revenues of the Houſes, ſituated in this Town of Paris, and its neighbourhood, to the King's Attorney General; and as to the others to the delegates

of the King's Attorney General in the several places—It is permitted to the ſaid Lioncy, Remuzat and Agnet in the ſaid names and qualities, and the Truſtees to be named by the Creditors of the ſaid Society of perſons ſtyling themſelves Jeſuits, to make to the ſeizures ordered by the preſent Decree, ſuch oppoſitions as they ſhall be adviſed for the ſecuring of their rights.

And to provide for the payment of the Salaries of the New Maſters eſtabliſhed in the Colleges heretofore held by the ſaid Society, and for the ſubſiſtence of the ſaid perſons ſtyling themſelves Jeſuits; the COURT authorizes the Officers of the ſaid *Bailliages* and *Sénéchauſſées*, within the Juriſdiction whereof the ſaid Houſes and Eſtabliſhments of the ſaid Eſtates are ſituated, or where the ſaid Colleges, and the Municipal Officers of the Towns of Arras, Bethune, St. Omer, Hesdin, Aire and other Towns of Artois, to provide for the payment of the Salaries fixed for the New Maſters by the ſaid deliberations and *concordats*, whereof the proviſional execution was ordered to commence in the preſent month of April—As alſo to adjudge upon what ſhall be proper to put into the hands of the ſuperiors of the ſaid Houſes for the maintenance and food of the ſaid perſons ſtyling themſelves Jeſuits—And all Ordinances by them rendered in this behalf, ſhall be ſent without delay to the King's Attorney General, to the end that an account may be thereof by him to the Court rendered, all the Chambers Aſſembled, and nevertheleſs executed proviſionally, notwithſtanding all oppoſitions or executions whatſoever and without prejudice thereto; for which purpoſe the ſequeſtrators ſhall be bound to pay the ſaid Monies conformably to the ſaid Ordinances, which doing they ſhall be discharged—And the remainder of the Monies if any there be ſhall be paid over as in due courſe of Law ſhall be ordered.

The COURT Orders that the Lieutenant General of this Town of Paris, ſhall be charged with taking care that nothing be concealed or ſecreted or carried away from the Houſes and Eſtabliſhments of the ſaid Society, as well at Paris, as in the neighbourhood thereof, and to inform the Court of the ſame, that it may provide in the premiſes what to right ſhall appertain—It is enjoined upon the Officers of Police in the ſeveral places in like manner to take care of the ſame, and to inform the Diſtrict Courts thereof, to the end that they may provide for the ſame without delay.—The Court authorizes in conſequence the ſaid Officers to go whitherſoever it ſhall be neceſſary, to make all neceſſary reſearches of and concerning the effects made away with, if any have been ſo, and all the actual depoſitaries (if any there be) of Goods and Effects, which may have heretofore been in the Houſes of the ſaid So-

ciety, or of the value thereof, ſhall be bound to declare to the King's Attorney General, or to his delegates in the ſeveral places, within ten days for thoſe reſiding at Paris, and within a month for thoſe reſiding elsewhere, to be accounted from the day of the Publication of the preſent Decree, under pain of being proſecuted Criminally, to the end that upon the ſaid declarations the King's Attorney General may require and that there may be by the Court, all the Chambers aſſembled, adjudged what to right and Juſtice ſhall appertain.

It is enjoined upon all Debtors, Farmers, Tenants, Paymasters Treaſurers, alſo to the Paymaſters of rents upon the *Hotel de Ville* of Paris and others, in future not to pay to the ſaid perſons ſtiling themſelves French Jeſuits or even Foreigners, or to their uſe, or to other parties for them and generally to any others than the ſaid Managers and Sequeſtrators, whereof the eſtabliſhment was above ordered, the Revenues and monies belonging to the ſaid Houſes and Eſtabliſhments of the ſaid Perſons ſtiling themſelves Jeſuits on pain of nullity of the payment and acquittances, and of being condemned to pay a ſecond time.

It is ORDERED that all thoſe who may lend their names directly or indirectly to the Society or to any of the Houſes thereof, whereſoever they may be situated, even without the Kingdom, for the property, poſſeſſion or enjoyment of any property or effects generally whatſoever, moveables or immoveables, ſhall be bound to declare it to the King's Attorney General or to his Delegates at the ſeveral places within ten days at the latest from the publication of the preſent Decree for thoſe who reside at Paris, and within one month for thoſe who reside elſewhere, under pain of a fine equal to one third of the value of the thing, whereof one moiety payable to the Informer and the other moiety to the General Hoſpital of this Town of Paris, or to thoſe of the other Towns or Places where ſuch perſons ſo lending their names ſhall reſide, also if the caſe ſhould require it on pain of being proſecuted criminally. In conſequence it is ordered that at the time of making the *Procès Verbaux* above ordered, the ſaid Prieſts, Scholars and others of the ſaid Society ſhall be bound to declare the names of thoſe who shall hold theſe goods and effects belonging to the ſaid Society, and to ſwear that they do not conceal any directly or indirectly on pain, in caſe of falſe declarations, to be prosecuted criminally, according to the exigence of the caſe. And all Receivers, Treaſurers, Caſhiers, Farmers Tenants, Debtors and Paymaſters, alſo thoſe of the Rents payable out of the funds of the *Hotel de Ville* of Paris, ſhall be bound to ſend within

one month to the King's Attorney General a statement of all that they pay to the ſaid perſons ſtiling themſelves Jesuits whether Frenchmen or Foreigners.

AND examined Copies of the preſent Decree ſhall be ſent to all the *Bailliages* and *Senechauſſées* of the Juriſdiction and to the office of the City of Paris, as well as to the municipal officers of the Towns of Arras, Hesdin, St. Omer, Bethune, Aire and other Towns of Artois, where the Property and Houſes of the ſaid Society are ſituated, to be there read, publiſhed and enregiſtered, printed and poſted up, notified to the municipal officers of the Towns where there were not heretofore other Schools and Colleges than thoſe which were then kept by the ſaid perſons ſtiling themſelves Jeſuits, and ſerved upon all the Houſes and Eſtabliſhments of the said perſons ſtiling themselves Jeſuits. It is enjoined upon the Delegates of the King's Attorney General to carry this decree into effect, and to report to the Court thereupon within the month. It is enjoined upon the Officers of the ſaid Courts to attend each for himſelf to the full & entire execution of the preſent Decree which ſhall be printed, publiſhed and poſted up in this City of Paris and wherever elſe it ſhall be neceſſary.

DONE in Parliament all the Chambers aſſembled the 23d April 1762.

Examined, REGNAULT.
(Signed) DUFRANC.

LETTER TO THE ATTORNEY AND SOLICITOR GENERAL
(Mr. Norton and Mr. De Grey)

Upon a second reference, by the Right Honorable the EARL of HALIFAX, His Majesty's principal Secretary of State, a Copy of an *Arrêt* of the Parliament of Paris having been obtained, of the case of the Jesuits in Canada.

To THE ATTORNEY and SOLICITOR GENERAL.

Doctors' Commons—May 12th 1765.

Gentlemen,

I have the honour to transmit to you two references made to us by His Majesty's command, and in order to save time, engaged as you are in so great a variety of business, I take the Liberty of sending you some few obervations on the second reference, it being expected that our Report should be very full on this subject, and which Report will be circulated wherever the Society exists. I will make any day or place agreeable to me, to settle our Report, which will best suit yourselves, if you will fix it together and favour me with notice a few days before.

In order to answer fully the purpose of the reference, I apprehend it is necessary to enter into a detail, and to keep the institute of the Society constantly in view.

In answer to the Questions :—

What Estate is vested in the Communities or Societies of Jesuits, which they occupy in Houses or Lands in Canada ?

Whether they could without powers from the Father General or Superior, before the expiration of the eighteen months allowed for the sale of Estates under the Treaty of Paris, and now can, make a good Title thereto ?

And whether the General or Superior, residing at Rome, and never having been in Canada, could have given, and now can give, powers to make a legal Title for the sale of such possessions ?

I beg leave to observe, that, besides the Jesuits of the less observance, who are to be found in every part of the world, concealed Agents of the Society, Laymen as well as Priests, persons who have been married as well as those who have never married, and of all conditions and employments of life, (the whole Order amounting to twenty thousand men in the year 1710, and since increased in proportion to the enterprising genius of that Society in the course of half a Century,) the known Communities of the Jesuits in Canada are the *Missions*.

The Missions are, properly speaking, draughts from the Houses of the Professed, (agreeably to the plan of this Order founded by a Military man on military principles ;) they are engaged by their fourth vow to go to any part of the world, where the Pope, or their General shall send them *non petito viatico*. The Missions are so called in their Institute, in distinction to the Houses of the Professed, and from the Houses of the Noviciates and Colleges. The Missions, like the professed, are all under a vow of poverty, and mendicants by Institution ; and as the Professed hold Estates in trust for the Noviciates and Colleges, and the rest of the Society, having nothing for themselves, otherwise than indirectly (for they never beg notwithstanding their Institution ;) so the Missions who are detachments from the Professed, hold Estates in the same manner. If the Estates are Donations, then they are held for such uses as the founders by Grant, Gift, or Devise shall have directed, and for such further uses as the Father General shall direct ; inasmuch as all Donations are constantly accepted by the Order, and ratified by the General, with this special salvo, commonly known and supposed to be acquiesced in by the donors or their representatives, *ita tamen ut in omnibus instituti ratio servetur*. And if the Estates are acquired by purchase out of the surplus of the Funds destined *ad libitum* by the General for the support of the Colleges, or out of profits arising from Commerce or personal industry, then the Missions hold these Estates for the benefit of the whole Society, wheresoever dispersed over the world, but united under one Sovereign head domiciliated at Rome, whose power over his whole Order being unlimited, he is the sole proprietor, and as it were, the heart of the whole body, into which, and from which, all

property has a constant flux and reflux by a circulation of the system in all its parts. So that the Estates of the Society must be considered in the possession of one man, the General of the Order; who is always by birth an Italian, an actual subject ecclesiastical and civil of the Roman Pontiff; upon whom he acknowledges a kind of feudal dependence, rather than an implicit obedience; (the Father General having sometimes resisted, and being in some respects independent even of Papal authority) being in all other relations an absolute Sovereign over his own Vassals, who are independent of every Civil Government under which they reside; to which they cannot be united in a civil essence by the nature of their Institute, without ceasing to be what their Institute makes them, a distinct Nation in the midst of Nations, and an Empire in the midst of Empires As all other regulars, according to the Canon Law, are servants of their Monastery, so the individuals of the Society of Jesuits, according to their Institute, are the servants, or rather slaves of their Order; and according to the rule of Law, by which *quid quid acquiritur servo acquiritur domino*; they have no property of their own.

It is remarkable, that the Order (of which the Province of France makes but a very small part) has been only tolerated provisionally in that Kingdom, and upon probation of good behaviour, without ever having had any legal establishment as a part of the Ecclesiastical and Civil Constitution of the Realm. The General of the Order has constantly refused the conditions of the original admission made by the Acts of the Assembly at Poissy of the Gallican Church, and has also refused the conditions of the re-admission of the Society on the same terms after their expulsion, (which re-admission was granted by the Royal Edict, in virtue of a Treaty between the Crown of France and the Papal See,) because the terms of re-admission were radically subversive of the whole Order.

To the original Acts of Admission all subsequent Edicts in their favour have had a retrospect. So that the *Arrêt* of expulsion remained always liable to execution; and the Members of the Order were merely as inmates, occupants of Houses and Lands in France, and in the extent of the Dominions of that Crown, subject to resumption.

From all these premises, it seems conclusive that the Titles of the Society passed, together with the Dominions ceded to Great Britain, (in which Dominions those possessions were situated) attended with no better qualifications than those Titles had by the Laws and Constitution of the Realm of France, previous to the Conquest and Cession of those Countries. But it seems further to be clear, that those Titles are now in a worse condition since the Conquest and Cession; for till that period they were only in abeyance, and suspended upon a principle of probationary toleration; but by virtue of the natural Law of Arms and Conquest of Countries, confirmed by Acts of the Law of Nations, by solemn Cession and Guarantee, the possessions of the Society lost of course all civil protection by the fate of war, but much more so by the only power, whose authority and intervention could have preserved the

property of these possessions to their supposed owners, having withdrawn its tolerance and protection and deserted them as a derelict at the mercy and entirely free disposition of the Crown of Great Britain, by making no provision in the Articles of Cession to serve the pretended rights of the Community of Jesuits, nor indeed of any other Ecclesiastical Community, which latter might have been under a more favorable view, having a civil being, and each House possessing a seperate property, distinct from others of the same Order; whereas the Order of Jesuits, contrary to all other Regulars, is one indivisible Order, aggregate indeed by its own Institute, but not incorporated by the Laws of France; and the Father General, never having been an Inhabitant of Canada, nor a subject to the King of France, he could not retire and avail himself of the fourth Article of the definitive Treaty, nor sell his Estates, nor withdraw his effects within the time limited. In a few words, the Society of Jesuits had not and cannot have any Estates in Canada, legally and completely vested in them at any time, and therefore could not, and cannot transfer the same before nor after the term of eighteen months, so as to make a good Title to the purchasers, either with or without the powers or ratification of the Father General, who as he could not retire, so he cannot retain any possessions in Canada, since the time limited for the sales of Estates there, agreeably to the Terms of the Treaty; because he is as incapable of becoming a British subject, as he was of being a French subject; nor can the Individuals of the Communities of the Jesuits in Canada, take or transfer what the Father General cannot take or transfer, nor can they, having but one common stock with all other Communities of their Order in every part of the Globe, hold immoveable possessions, to be applied for the joint benefit of those Communities which are resident in Foreign States; and which may become the enemies of His Majesty and His Government.

In answer to the question—Whether the persons in possession hold the same as Trustees for the General, or for the whole Society of Jesuits, and in that case, whether such trust is not void in Law? what forfeitures are incurred thereby? and to whom?

I beg leave to observe, that whoever the persons are who occupy the possessions in question, they must be understood to hold the same as Trustees for the Head and Members of the one indivisible Society, and political body of Jesuits, of ecclesiastical and temporal Union, forming, according to their Institute, one Church and Monarchical Government, with territorial jurisdiction independent of all civil authorities under which the Members of the Society are occasionally dispersed, and without stability of domicile; that such trusts, are therefore, from the very nature of this Institution, inadmissible by the Law of Nations and of all Civil Governments; they are void both in law and in fact, because there is no legal corporate body civilly established to take their use but an alien Sovereign, and aliens his subjects, who were and are utterly incapable, by the very nature of their Institution, of any civil existence. The possessions therefore, of the Society of Jesuits in Canada, in every view of

the case, are lapsed to His Majesty by right of Conquest and acquired Sovereignty; by dereliction of the supreme power itself of whose good pleasure these possessions were lately held, no provision having been made for them by it in the Act of Cession; by the want of an original complete Title in a body incapable of legal taking, holding, and transferring; by the nature of defective trusts founded upon such defective Titles; and by the non-compliance of the Order with the provisional terms of re-admission, as probationary occupants & only *pro tempore*, into the Dominions of France, domiciled in the person of their Father General at Rome, subject to the execution and effect of the *Arrêt* which was passed by the original Tribunals for their expulsion in 1594, to which they are still liable, for never having observed, but openly rejected, the conditions of their first admission, which are the conditions of the second, and farther, are liable, *ipso facto*, whenever they should be hurtful and dangerous to the Realm.

In answer to the last question—What will be the proper methods to be pursued to discover such trusts?

I conceive, with submission, that it would be an effectual method to discover such trusts, as well as a great benefit for the civil and ecclesiastical establishment of the ceded Colonies, if His Majesty should be pleased to order a general Survey of all Estates in them to be made, and to establish an Office of Register and Record, and for the authentic copying and enrollment of all Title Deeds, Grants, and Assignments of Lands and Houses held in the Provinces of Canada and Louisiana; and to appoint Commissioners to make such a Survey, to call for, and to examine persons and writings, and to transmit the Records from year to year into the Registry of the High Court of Chancery of Great Britain, and to make a particular Report to His Majesty of the same, so far as relates to Lands or Houses, possessed, now or late, by any religious Communities or persons, or applied by any persons for their benefit, and to discover all concealed trusts for any purposes prejudicial to His Majesty's rights, and the interests of His Realm.

All which considerations, Gentlemen, I have the honour to submit to your reflections before we draw up our Report, as the Institute of the Society is so very extraordinary, and our decision upon these important points depends entirely on its nature, I have annexed extracts which are taken from indubitable authorities. You must be very sensible, that an air of answering upon so complicated a business in three lines, will not serve the purpose of the King's Ministers, who desire to be perfectly informed; and I shall not regret my particular trouble on this, or on any other occasion, if I have the satisfaction of your approbation, in diminishing, in any degree, your share of our joint labours, which are of much consequence, in this case particularly, for His Majesty's service.

I am, Gentlemen,

With great respect, Your most obedient and humble servant,

(Signed) JAMES MARRIOTT.

PROOFS and EXTRACTS relating to the Conſtitution of the Society of Jeſuits, annexed to the Letter to the Attorney and Solicitor General.

Concerning the Jeſuits of the leſs obſervance, ſee the account taken by Etienne Pasquier from a Jeſuit; *Recherches de Pasquier;* The Bull of Sixtus V. 29th September 1587, gave the Society a power of ſetting up congregations in all their Houſes, and in all Places, *locis sub gubernis societatis existentibus*, and to connect and unite theſe Congregations with the Congregation at Rome, *et primaria Romanæ aggregandi.* So that theſe immenſe Congregations of lay brothers form in every Kingdom but one body, having the ſame ſpirit, intereſts, views and Government with the Congregation at Rome. Vide *Institutum Societatis Jesu, auctoritate Congregationis Generalis XVIII. Meliorem in ordinem digestum, auctum et recusum pragæ. Tipis Universitatis Caroli-Ferdinandæ, in Collegio Societatis Jesu ad. S. Clementium* 1757.

Father Jouvency ſays that in 1710 the Society had ſix hundred and twelve Colleges, three hundred and forty houſes of reſidence, fifty-nine Noviciates, two hundred Miſſions, twenty-four houſes of the profeſſed: the whole divided into thirty-ſeven Provinces. The extent of theſe thirty-ſeven Provinces or Territoires of the Society, may be judged of from the conſideration that all France forms but five; which are called the Provinces of France, Champagne, Guienne, Toulouſe and Lyons. The Miſſions are attached to ſome one of theſe Provinces, or make themſelves ſeparate Miſſions. According to Father Jouvency the number of the Jeſuits of the four claſſes was in the year 1710, on their own liſt, nineteen thouſand, nine hundred and ninety eight. It is eaſy to judge from the enterprising ſpirit of the Society, how much that number muſt have increaſed in fifty-five years ſince. The four Claſſes are as follow: firſt, The profeſſed, called by their Conſtitution *Societas Professa:* ſecond, the Coadjutors. Third, the Scholars Students, and approved Scholaſtics. Fourth, all thoſe who, without being of the three former Claſſes have taken a Reſolution to live and die in the Society, and are in *probation*, till it ſhall be decided into which of the three other Claſſes they ſhall be admitted.

The Houſes of reſidence, which are three hundred and forty, are the houſes of the Miſſions out of Europe.

The Miſſions are under a vow of poverty: it is the general rule of the inſtitute of the whole Society, *haec minima Congre-*

gatio, sic paupertatem accipiendo, ut nec velit, nec possit reditus ullos, ad suam sustentationem, nec ad quidvis aliud habere.

In the first Bull obtained by them from Pius V. 1571, the terms are *declaratur Societas ex instituti ratione mendicans, aliusque mendicantium ordinibus commemoratur et privilegiis æquatur;* and in the disposing and granting part, the Pope says, *quia ipsa Societas mendicans existit, quippe quæ ex ejus instituto et constitutionibus apostolica autoritate confirmatis bona stabilia possidere nequit, sed in certis elemosynis fideliumque largitatibus et subventionibus vivit.*

That the Houses of residence of the Missions are not independent of the general body appears by the very form of the letters of authorization, which the provincial gives for the place of Superior General of the Missions of any particular Province; and these powers are extended by special powers, or narrowed at the pleasure of the Father General. The powers given are in *personas et loca quæ in illis partibus ad sociatatem pertinent*, therefore those persons and places form no establishments separate and independent from the common mass of the Society; but the Authority is reserved as to all Contracts; *non tamen alienationum, obligationum, seu gravaminum quæ collegium vel Societas subire debeat;* in which case a special authority is made requisite; so that the whole property of the Houses of the Missions is clearly in the Father General. *Vide Mémoire à Consulter*, published on the part of the Father Jesuits in the case of Father De la Valette p. 23.

The Bulls of Gregory XIII. 1576, 1582, vest all property in the Father General. It recites, *bona stabilia et immobilia seu quasi stabilia* (in the language of our Law, Chattels real) *nec non et pretiosa mobilia cujuscunque qualitatis et facultatis, domorum tum professorum, tum probationis collegiorum et aliorum locorum ubilibet consistentium, informatione extra judicialiter ac summariè et simpliciter acceptâ vel etiam eâ omnino omissâ,* (reserving to himself to judge of the utility of the alienations or assignments,) *simpliciter absque figura judicii; nec ad venditionum communicationem, et aliarum hujusmodi alienationum, utilitatis seu necessitatis, aut in equivalentia vel meliora boni pretii conversionis vel alium demonstrationem teneri.*

The unlimited extent of the General's power further appears; *generalis, cum primum electus est, potest plenam exercere Jurisdictionem in omnes sub ejus obedientiâ degentes ubicunque commorantur, etiam exemptos, etiam quascunque facultates habentes.*

The general has granted to him by it, *in universos ejusdem societatis socios et personas sub ejus obedientia degentes ubilibet commoran-*

tes. The Provincials are as Lieutenant Generals of the father generaliſſimo. *A Generale præposito, ut à capite, universa facultas provincialium egreditur, ac per eos ad locales, per hos autem ad singulares personas descendat.* The Miſſions are ſubject as well as the reſt of the Communities. *Ab eodem capite, vel saltem eo suam facultatem communicante et rem approbante, missiones procedunt. Vide Insti. Soc. Jesu. pa.* 424; *Constit. part.* 8, *Cap.* 1. § 6. *Idem generalis in Missionibus omnem habet potestatem, par.* 9. Bull of Gregory XIV. 1591, Ibid § 2. It appears that the Members of the Society are merely Agents of the General, and though furniſhed oſtenſibly with his power, *quamvis aliis inferioribus præpositis, vel visitatoribus, vel Commissariis suam facultatem communicet generalis poterit approbare vel rescindere quod illi fecerint:* how unlimited is the ſubmiſſion, in a ſyſtem ſubverſive of all good faith! *Semper ei obedientiam et reverentiam ut qui vices Christi gerit, præstare oportebit:* how ſhocking the impiety of an order thus conſtituted!

Gregory XIV. confirmed in his Bull the preſent Sovereignty of the Father General; the terms are *universam gubernandi rationem Ignatius fundator monarchicam et in definitionibus unius superioris arbitrio contentam esse decrevit. Præter cætera quam plurima, illud sequitur commodi ut universus ordo ad monarchicam gubernationem compositus maxime servetur unitus ipsiusque membra per universum orbem dispersa, per omnimodam hanc subordinationem suo capiti colligata promptius ac facilius ad varias functiones juxta eorum peculiarem vocationem et speciale votum dirigi ac moveri possint.* And the Bull anathematiſes all who ſhall oppoſe their privileges, whether Kings, ſtates, or prelates, upon any account or pretence whatſoever, and that the order ſhall be immutable even by the Holy See itſelf and independent; and what is more extraordinary, that if any pope ſhall decree hereafter to the contrary, the general ſhall annul the decrees, and reinſtate the Society of his own ſole authority. *Tolies in pristinum et eum in quo antea quomodo libet erant statum restituta, reposita, et plenarè re-integrata, per præpositum generalem fore et esse, fuosque effectus sortiri et obtinere.*

The Jeſuits of Spain and Portugal, deſirous of a reform from this unlimited ſlavery, to which they were ſubjected in 1593, petitioned Pope Clement in theſe words:—

Licet generalis habeat suos consiliarios tamen non tenetur stare ipsorum consilio sed est dominus dominantium et facit quod vult nullis legibus adstrictus: unde mortificat et vivificat: deprimit et exultat quem vult, ac si esset Deus qui liber est ab omni perturbatione et non posset errare.

upon the Province; the Province upon the Society; and that all the Miſſionaries its Members are but Agents of the Company, which is united, as we have already ſhown, under one principal director of unlimited authority.

Theſe ideas of the Society and of the Titles to its poſſeſſions, are confirmed by the pieces written by Jeſuits, and Publiſhed by the authority of their Order in their famous diſpute, with all the reſt of the regulars on the occaſion of the Edict of the Emperor Ferdinand, II. in 1629, for reſtoring the Eſtates of the Empire, which the Proteſtants had taken away. The Champions of the Jeſuits inſiſted, that no other orders could take but themſelves, becauſe the fraternity were *distinct* which once held thoſe endowments, and were now extinguiſhed: that they, the Jeſuits were on the contrary, one indiviſible Order: that the Generals and Viſitors of thoſe fraternities which were local, had only a power as to the regular diſcipline of each ſeparate Monaſtery; but that theſe Viſitors were not (as in the Order of them the Jeſuits) like their General, able to change perſons and properties, *ad libitum*, *Vide*, the work of Father Layman, printed at *Delingin in Suabiâ*, *cum facultate Superiorum*, intitled, *Juſta defenſio Sanctiſſimi Pontificis*, *Auguſtiſſimi Cæſaris*, *S. C. R. Cardinalium*, *Epiſcoporum*, *Principium*, *et aliorum Minimæ ſocietatis Jeſu*, *in cauſâ Monaſteriorum extinctorum et bonorum Eccleſiaſticorum vacantium.* Father Jean Cruſius, who wrote at the ſame time, a book entitled, *Aſtri inextincti Eclipſis ſeu deliquium*, uſes theſe words which deſerve attention, and affect the caſe of a Conquered Country, *Generalis ipſe tanquam caput unius veri Corporis politici jurisdictionem habet quaſi territorialem; nam ipſius jurisdictio non perſonis ſolum, ſed etiam terris rebus, bonis Collegiorum ab hoſte occupatorum, vel etiam perſonalis Collegiorum illorum tempore invaſionis repetitio; quæ in hujusmodi caſus negatur aliis aliorum ordinum præsidibus; cum nec verum illorum Religioſi Corpus Conſtituunt politicum, ſed tantum familiæ aliquod plane διεφθορον.* And farther he ſays, *Societas, late accepta, est domina bonorum et rerum ſuorum Collegiorum, atque poſſidet cum illis bona corporata: quia Scholares indifferenter et indiscriminatim ſe habent ad omnia Collegia Societatis; nec enim vovent hujus vel illius loci ſtabilitatem, ideoque ad nutum admodum R. P. Generalis ex uno in aliud transferuntur Collegium. Secus res habet in ordine ſancti Benedicti, quia profeſſi illius voto ſe obligant ad ſtabilitatem clauſtri.*

Father Layman in his book, called *cenſura Aſtrologiæ Eccleſiasticæ*, *et aſtri*, *in extincti*, makes his own order to conſtitute of itſelf, a Church *cum manifeſtum ſit in Societate noſtra membra ejus omnia*, *ſub uno generali capite conſtituta et gubernata*, *unius Eccleſiæ Corpus Conſtituere.*

From this view of the nature of the *inſtitute of the Society*, it clearly appears *a priori*, that it was *impossible*, that the Society could gain a Civil exiſtence as a corporate body of Eccleſiaſtics, in France ; and it was far from the inclinations of the Society to be conſidered as ſubjects of any Jurisdiction but their own.—For this reaſon in the famous attempt which they made to be incorporated with the Univerſity of Paris in 1564, and an interrogatory being put to them, *what they were in France ? Seculars, regulars* or *Monks ?* their anſwer was, repeatedly to the queſtion, *nos ſumus in Gallia tales quales denominabit nos curia.*

It was to preſerve this independency of the Order from all Civil States whatſoever under which its Members reſide, that the Generals have frequently oppoſed, and effectually reſiſted the Popes themſelves, by having made themſelves neceſsary to the Papal See.

Thus all the attempts to leſſen the power of the Father General, and to change the conſtitution of the Order have never ſucceeded ; Paul IV. Pius V. Sixtus V. Clement VIII. attempted it in vain. And when the Parliament of Paris conſented to reeſtabliſh the Jeſuits under certain reſervations, as they before had been admitted provisionally in the Aſsembly at Poissy, the re-admission was in conſequence of his Treaty with the Pope; the Pope acquainted the King, and the King the Parliament in reſpect to the articles, *que le général des Jésuites ne s'en contentoit pas &c. ne les vouloit approuver, disant, qu'ils étoient contre leurs Statuts, dont le dit général écrivit au roi lettres qui ne pouvoient être présentées, et sont encore les articles approuvés par lui.* The King added, that it was a great point gained of the Pope, to admit the order in no other way. The Parliament entered it upon their Regiſters, that the Pope had desired the King to establish the Jeſuits, *comme ils étoient auparavant l'arrêt de la Cour de* 1594, and re-eſtabliſhed them accordingly.

It may not be improper to inſert the ſpecial clauses of the Act of Poiſſy ; which if acquiesced in, the Jeſuits muſt have quitted France. The first consideration was, that they ſhould not be received as a Religious Society. Second, that they ſhould take another name. Third, that they ſhould ſubmit to the Jurisdiction, ſuperintendance and correction of the Epiſcopal dioceſan. Fourth, that the Company should not attempt any thing to the prejudice of the Biſhops, Chapters, Rectors, Univerſities, nor of the other Orders. Fifth, that they ſhould conform themſelves to the ancient Laws, renouncing expreſſedly and *previously* all the privileges contained in their Bulls inconſiſtent with the foregoing articles. *Autrement, à faute, de faire ou qu'à l'avenir ils*

en obtiennent d'autres, les présentes demeureront nulles et de nul effet et vertu. And the Act concludes, with a salvo, *sauf le droit de la dite assemblée et d'autrui en toutes choses :* and when the Act came to be regiſtered by the Parliament, the conditions expreſſed were confirmed, and the concluſions upon the articles were, that the Jeſuits were received *quant à présent &c. à la charge des les rejetter si, et quand ci-après ils seroient decouverts, être nuisibles ou faire préjudice au bien et état du Royaume.*

The Jeſuits allowed all theſe conditions and provisions of their original admiſſion to exist, according to the Act of the Aſſembly of Poiſsy (none of which the Society either have fulfilled, or could poſsibly fulfill from the nature of their inſtitution) among the pieces which they produced before the French King in 1715, in order to obtain the declaration of the 16th of July, the words are, *Qu'ils conviennent de bonne foi, que par l'acte de Poissy, et par l'acte de la Cour qui en ordonne l'enregistrement, ils ne furent reçus comme religieux. Vide Inventaire imprimé, Signé, de Sacy, Avocat, P. Hazon, Jesuite, Procureur Général de la Province de France, page* 6.

The diſtinction they have endeavored to ſet up, between the Colleges and the Order is neither ſupported by fact, nor by the inſtitute of the ſociety. For it appears from all the foregoing proofs of their inſtitute, that there is one chain of dependence; that the colleges are not diſtinct as communities from the Body; that the profeſsed Religious hold in truſt for the Colleges; and, therefore, the concluſion is, that if, according to their own confeſſion, the Religious of the Order of Jeſuits are not received as perſons capable of a civil exiſtence, they are incapable of the truſts, and the colleges are incapable of the uſes. Thus every thing, built upon the foundation of this anomalous ſociety, falls to the ground together. And it is no wonder that an inſtitution, which ſeems contrived, with a ſubtlety more than human, to ſubvert the Laws of every Country Ecclesiaſtical and Civil, ſhould find in the Laws of every Conntry, an obſtacle to its eſtabliſhment.

GEORGE the THIRD by the Grace of GOD King of
1788. Great Britain, France and Ireland, Defender of the Faith, &c.

To our Loving Subjects Kenelm Chandler, Thomas Scott, John Coffin, Gabriel Elzeard Taschereau, Jean Antoine Panet, George Lawe, James M'Gill, Quinſon de St. Ours and ——— Rouville, Esquires. Greeting.

Fiat.

Recorded in the Office of Enrollments at Quebec the 2d day of January 1788, in the third Regr. Letters Patent & Coms. folio 186. (Signed) G. POWNALL.

We being moved concerning the Lands and Eſtates now belonging to us, and heretofore held and claimed in our Province of Quebec, by a certain Religious Community known by the name of the Order of Jeſuits, and for our giving and granting parcels of the ſaid Lands and Eſtates, to Our Truſty and well beloved Subject Jeffery Lord Amherſt, his Heirs and Aſſigns, and being deſirous before the gift and grant thereof be made in manner aforeſaid to be ascertained in due form of Law, what Lands and Eſtates, were held poſſeſſed and claimed by the ſaid Order of Jeſuits within the ſaid Province, and the manner and ways by which they acquired, and what portions and parts thereof, have been by them aliened and exchanged, and what parts or portions thereof are now veſted in us, and may by us be legally given and granted in the manner above mentioned, and we being alſo deſirous to be fully apprized of the nature and quality of the ſaid Lands, and the preſent Titles by which they are poſſeſſed, their preſent value, the nature and extent of the Right of Seignory, the nature of the tenures by which they are holden their exact local ſituation, the ſtate of their culture and population, and whether any and what claims are made by the Heirs of the Donors of ſuch parts of the Lands, as were given to the ſaid Religious Order by private perſons: We have therefore Appointed and given Commiſſion to, and by theſe preſents, Do appoint and grant Commiſſion to you the ſaid Kenelm Chandler, Thomas Scott, John Coffin, Gabriel Elzeard Taschereau, Jean Antoine Panet, George Lawe, James M'Gill, Quinſon de St. Ours, and ——— Rouville, Eſquires, or any three of you, without delay to make inveſtigation on all and every the particulars before mentioned, by all Lawful ways and means in your Power, and We command that you Certify what you ſhall cauſe to be done respecting the ſame by virtue hereof, under your hands and ſeals, to the Governor and Commander in Chief of our ſaid Province,

or the Governor and Commander in Chief thereof for the time being.

In Testimony whereof we have cauſed theſe our Letters to be made Patent, and the Great Seal of our ſaid Province to be thereunto affixed.

Witness our Truſty and Well beloved Guy Lord Dorchester, our Governor and Commander in Chief of our ſaid Province, at our Caſtle of Saint Lewis at Quebec, the ſeventh day of Jany. in the twenty-eighth year of our Reign, and in the year of our Lord one thouſand ſeven hundred and eighty-eight.

(Signed) DORCHESTER.

By His Excellency's Command,
(Signed) Geo. Pownall, Sec.

I do hereby Certify the foregoing to be a true Copy of an Entry, on Record in the Regiſtrar's Office at Quebec, in Regiſter of Letters Patent and Commiſſions No. 3, folio 186.

Ls. MONTIZAMBERT,
Actg. Prov. Secy. and Reg.

Provincial Secretary's Office,
Quebec, 25th February 1824.

(Signed) ROBT. S. MILNES,
Lieutenant Governor.

Province of Lower-Canada, to wit :—

GEORGE the THIRD by the Grace of God of Great-Britain France & Ireland King, Defender of the Faith, and so forth: *To the Sheriff* of the Diſtrict of Quebec, in our Province of Lower-Canada, Greeting: Whereas all and every the Eſtates and Property moveable and immoveable, ſituate in Canada, which did heretofore belong to the late Order of Jeſuits, have ſince the year of our Lord Chriſt one thouſand ſeven hundred and ſixty, been and now are by Law veſted in us, under and by virtue of the Conqueſt of Canada in the ſaid year of our Lord Chriſt one thouſand ſeven hundred and ſixty, and under and by virtue of the Ceſſion thereof

Fiat
Recorded in the Office of Enrollments at Quebec the 8th day of March 1800, in the first Register of Letters Patent and Commissions, folio 446.
(Signed) G. Pownall, Secy. and Regr. of Records.
L. S.

made by His Moſt Chriſtian Majeſty, in the definitive Treaty of Peace concluded between us, His Moſt Chriſtian Majeſty and His Moſt Catholic Majeſty at Paris, on the tenth day of February which was in the year of our Lord Chriſt, one thouſand ſeven hundred and ſixty three. And whereas of our eſpecial favor—we have been graciouſly pleaſed to ſuffer the late ſurviving Members of the ſaid late Order of Jeſuits who were living and reſident in Canada, at the period of the aforeſaid Conqueſt and Ceſſion thereof, to occupy certain parts of the ſaid Eſtates and Property Moveable and immoveable, and to receive and enjoy the rents, iſſues and profits of ſuch parts thereof to and for their reſpective uſe, benefit and behoof, during the terms of their natural lives. And whereas all and every the ſaid late ſurviving Members of the ſaid late Order of Jeſuits are now deceaſed—And whereas ſince the deceaſe of the ſaid late ſurviving Members of the ſaid late Order of Jeſuits; WE, certain eſpecial conſiderations us thereunto moving, have been graciouſly pleaſed, of our further favor to permit the Reverend Jean Joſeph Cazot, Prieſt, to occupy divers parts of the ſaid Eſtates and property, which were ſo as aforeſaid occupied by the ſaid late ſurviving Members of the ſaid late Order of Jeſuits, and to receive and enjoy the rents, iſſues and profits thereof, to and for his uſe, benefit and behoof, during our Royal pleaſure, which for divers good cauſes and conſiderations, we have thought fit to and hereby do determine; and whereas in conſideration of the premiſes we have reſolved to take into our real and actual poſſeſſion, the parts of the ſaid Eſtates and property of the ſaid late Order of Jeſuits, which under and by virtue of our ſaid Royal permiſſion, have been lately occupied by the ſaid late ſurviving Members of the ſaid late order of Jeſuits, and by the ſaid Jean Joſeph Cazot. Now therefore know ye—that we have authorized and empowered, and by theſe preſents do authorize and empower and command you the ſaid Sheriff of our ſaid Diſtrict of Quebec, in our ſaid Province of Lower-Canada, for us and in our name, and to and for the uſe, benefit and advantage and behoof of us, our Heirs and Succeſſors, to enter upon and take into our real and actual poſſeſſion all and every the Lands, Eſtates and property moveable and immoveable, of every deſcription and nature whatſoever, and every part and parcel thereof, ſituate, lying and being in our Diſtrict of Quebec, in our ſaid Province of Lower-Canada, which heretofore did belong to the ſaid late Order of Jeſuits, or whereof or wherein the ſaid late Order of Jeſuits was ſeized or poſſeſſed or had, or claimed any manner of Eſtate, right, title, intereſt or demand, and which have been ſo as aforeſaid occupied by the ſaid late ſurviving Mem-

bers of the ſaid late Order of Jeſuits or any or either of them, and by the ſaid Jean Joſeph Cazot; AND more particularly to enter upon and take into our real and actual poſſeſſion the Fief and Seigneurie of *Notre Dame des Anges* commonly called Charleſbourg, containing one league of Land or thereabouts in front by four in depth, ſituate near the Town of Quebec, partly on the River St. Charles, where it empties itſelf into the River St. Lawrence, and partly by the ſaid River St. Lawrence. running back into the Country towards the Weſtern Mountains, bounded on the North-Eaſt ſide by the Fief & Seigniory of Beauport, the property of Antoine Juchereau Ducheſnay, Eſq. and on the South-Weſt ſide by the Fief andSeigniory of Dorſainville, now poſſeſſed by the Nuns of the General Hoſpital, near Quebec, in front partly by the ſaid River St. Charles, and in the rear by Lands yet unconceded. Alſo the Fief and Seigniory of Saint Gabriel, commonly called the Old and New Lorette; conſiſting of a league and a half in front by ten in depth, ſituated inland at the diſtance of a league and a half from the River Saint Lawrence, and adjoining the rear of the Seigniory of Sillery, formerly belonging to the Reverend Fathers of the Company of Jeſus, bounded on the North-Eaſt ſide by the Fief St. Ignatius, poſſeſſed by the Nuns of the Hôtel Dieu of Quebec, on the South-Weſt by the Fief and Seigniory of Champigny or Godarville, belonging to the Heirs Peuvret, repreſented by Antoine Juchereau Ducheſnay, Eſquire, in front by the rear of the ſaid Seigniory of Sillery, and in depth by Lands unconceded; alſo the Fief and Seigniory of Sillery, ſituated on the River Saint Lawrence, conſiſting of one league of Land in front by a league and a half or thereabout in depth, running back to the Seigniory of St. Gabriel which terminates it in the rear, bounded on the North-Eaſt side by the Point called *Pointe de Puisseau*, and the line which ſeparates the ſaid Fief and Seigniory from the Fief and Seigniory of St. Michel, poſſeſſed by the Eccleſiaſtics of the Seminary of Quebec, and on the South-Weſt side to the Fief and Seigniory of Godarville, the property of Antoine Juchereau Ducheſnay, Eſquire. Alſo the Fief and Seigniory of Belair, commonly called Bonhomme Mountain, conſiſting of one league and a half in front by two leagues or thereabout in depth, ſituated in the rear of the Fief and Seigniory of Demaure or St. Auguſtin, and running back towards the River Jacques Cartier, bounded on the South-Weſt side by the Fief and Seigniory of Neuville or Pointe aux Trembles, and on the North-Eaſt side by the Fief and Seigniory of Godarville, in front by the ſaid Seigniory of Demaure or St. Auguſtin, and behind by the ſaid River Jacques Cartier: alſo of the Fief and

Seigniory of the *Isle des Ruaux*, ſituated in the River St. Lawrence a little below the Iſland of Orleans, conſiſting of about half a league in length by eight arpents or thereabout in breadth. Alſo a Tract of Land or Farm, commonly called *La Vacherie*, ſituated on and partly ſurrounded by the River St. Charles, and thence running up towards the Hill called *La Cote St. Genevieve*, bounded on one ſide partly by the High Road leading from the Paſſage acroſs the ſaid River St. Charles, and on the other, partly by the Lands of ————————, in front by the ſaid River St. Charles, and behind by the ſaid Hill called *La Cote St. Genevieve*, conſiſting in the whole of seventy three ſquare Acres or thereabout, as at preſent occupied and poſſeſſed by David Lynd, Eſquire, and his under-tenants, and as more particularly bounded and deſcribed in the ancient Grants, Title Deeds and conveyances thereof.

Alſo a tract of Land ſituated in the Seigniory Lauzon, and Pariſh of Saint Nicholas on the South ſide of the River Saint Lawrence, conſiſting of twenty-nine arpens or thereabout in front, running from a point oppoſite the River Cap Rouge along the River Saint Lawrence to a place five arpents diſtant above the Great Rivulet which falls into the ſaid River Saint Lawrence, at a Farm called the Great Cove, by f—ty arpents in depth bounded on the north eaſt ſide by the lands of the Repreſentatives of Réné Leduc, and on the other or ſouth weſt ſide by thoſe of Abraham Milot, in front by the ſaid River Saint Lawreuce, and behind by Land unconceded. Alſo the following tracts, pieces, or parcels of Lands ſituated in the Seigniory of Lauzon, on the north ſide of the River St. Lawrence oppoſite to the Town of Quebec, to wit :—four arpents in front along the River St. Lawrence, two arpents on each ſide of a Houſe formerly belonging to the Reverend Fathers of the Company of Jeſus, by twenty arpents in depth, now in the occupation of Joſeph Samson, Coſton and Fortier. Another tract of Land in the ſame Seigniory and adjoining thereto, conſiſting of two hundred ſquare arpents, viz :—five arpents in front along the ſaid River Saint Lawrence at the diſtance of twenty toises from the water at the highest Tides, running towards Saint Croix by forty arpens in depth : alſo another tract of Land in the ſame Seigniory adjoining that above described, conſiſting of ſix arpents in front along the River St. Lawrence by forty in depth ; and laſtly a tract of eleven arpents of Land in front, adjoining the rear of the two preceding tracts, and bounded by the prolongation of the line thereof on each ſide, by forty in depth, all as more particularly ſtated, ſpecified, bounded and deſcribed in the ancient titles thereof : also a piece of Land

conſiſting of ſix arpents ſquare, ſituated at a place called Tadouſac on the north ſide of the River Saint Lawrence, whereon is built a Church and Presbytère or Prieſt's Houſe. Twelve arpents of ground or thereabouts ſituated in the Upper Town of the City of Quebec, bounded in front to the northward by Saint John's Street, behind partly by the incloſure wall of the Urſuline Garden, and partly by the ground of the Urſuline Nuns without their incloſure, on the one ſide by the Road leading from Saint John's Gate along the Ramparts or Fortification and by the Parade, and on the other partly by Staniſlaus Street, & the Houſes & Walls of the Jeſuits' Garden oppoſite the vacant ground in front of Dauphin Barracks to the corner of the incloſure of the Urſulines Convent aforeſaid, excepting therefrom the ground whereon is erected the Dauphin Barracks and the unoccupied ſpace in front thereof.—Alſo a piece or parcel of ground ſituated in the Upper Town of Quebec, conſiſting of ſeventy-three ſquare perches or thereabout bounded in front by the Street called Garden Street, in rear by the Wall of the incloſure of the Urſulines Nun's Convent, on one ſide by the ſquare in front by the Urſulines Church on a line running ſeventeen feet, and on the other ſide partly by Saint Anne Street on a line running thirty-ſeven feet, and partly by the rear of Lots belonging to the Widow Seguin, Pierre Vincent and Charles Pinguet —Alſo a lot or piece of Land ſituate in the ſuburbs of Quebec, outſide Palace Gate, conſiſting of fifty-eight ſquare perches or thereabouts bounded in front by Saint Nicholas Street, as far as the House of Delignets at one ſide of the ſaid Street, running in another direction as far as the House of Madame Larche, in the rear by the Street running along the front of the Storekeeper General's Stores, and at the other ſide by the ſquare in the middle of which the Batteau Guard Houſe ſtands. Alſo three conceſſions or lots of ground in the Upper Town of Quebec, by the Church Wardens of the Pariſh of Quebec to the Reverend Fathers of the Company of Jeſus, conſiſting of the lots of M'Nider, Widow Valain, Turgeon, Berthelot D'Artigny, and Widow Renvozé. And we do hereby enjoin and command You, that all and whatſoever You ſhall do by virtue of this commiſſion, You do certify under your Hand and Seal, into our Court of King's Bench, of and for our Diſtrict of Quebec, in our ſaid Province of Lower Canada on the ſixteenth day of April now next enſuing, together with this Writ, there to remain of Record for ever.

In Faith and Testimony whereof, We have cauſed these Our Letters to be made Patent, and the Great Seal of Our ſaid Province of Lower-Canda, to be hereunto affixed. Witneſs our

Truſty and well beloved Robert Shore Milnes, Eſquire, our Lieutenant-Governor of and for our ſaid Province of Lower-Canada, at Our Caſtle of Saint Lewis, in Our City of Quebec, in Our ſaid Province, the eighth day of March in the year of Our Lord Chriſt, one thouſand eight hundred, and in the fortieth year of our Reign.

(Signed) R. S. M.

(Signed) GEORGE POWNALL, Secy.

An INVENTORY of Effects ſeized by the Sheriff of the District of Quebec, to and for the use of His Majesty, belonging to the deceased Reverend Pierre Cazot, as representing the late Order of Jesuits in the Province of Lower-Canada, in virtue of the King's Writ to him directed bearing date the eighth day of March 1800.

The following delivered by Messire Joseph Octave Plessis, Coadjutor of Quebec, vizt.

1 Ostensoir ou Soleil,	d'Argent.
3 Calices,	
2 Ciboires,	
3 Paires de Burettes,	
2 Plats pour ditto,	
6 Chandeliers et Croix,	
2 Chandeliers portatifs,	
1 Benitier,	
1 Croix processionnale,	
2 Bras ou Girandoles,	
2 ditto,	
4 Pots à fleurs avec les Fleurs,	
1 Encensoir et Navette,	
1 Lampe,	
1 Piscine,	
1 Statue de la Sainte Vierge,	
1 Ditto Saint Ignace,	
1 Ditto Saint François Xavier,	
14 Cuillières pottagères,	
24 Ditto de Table,	
4 Grandes Fourchettes,	
24 Fourchettes de Table,	
2 Cuillieres à Caffé,	
2 Ecuelles avec leurs Couvertes	
2 Goblets,	

8	Chandeliers et Croix,	argentés.
6	Ditto petits,	
6	Pots à fleur,	
4	Statues,	
2	Reliquaires d'Argent,	
6	Chandeliers,	de Cuivre.
8	Ditto, dont un cassé,	
2	Christs,	
4	Petits Chandeliers portatifs,	

Ornements.

26 Devant-d'Autel,
16 Chasubles garnies,
3 Chapes,
2 Dalmatiques,
1 Etole et vieilles do.

Linges.

1 Drap mortuaire,
24 Aubes,
29 Surplis,
15 Nappes d'Autel,
14 Ditto de Communion,
9 Douzaines Ditto de Purificatoires,
17 Corporaux,
12 Palles,
123 Amiots,
40 Linges à Lavabo,
15 Cordons,
8 Essuiemains,
1 Paquet de Linge sale,
1 Ditto ditto,
1 Ditto ditto,
1 Caneau rouge,
5 Vieux Tapis,
6 Petits Tableaux,
1 Statue de Cire,
12 Bouquets,
4 Missels,
2 Pupitres,
1 Livre de Chant,
1 Table de Marbre,
1 Lustre de Cuivre,
Quelques vieux Fauteuilles, Chaises, &c.
1 Pendule,
1 Christ d'Ivoire,
3 Couronnes de Fleurs,
3 Reliquaires de bois doré,
4 Garnitures de Canon d'Autel.

The two following Trunks of Books and Papers are deposited in the Office of the Secretary of the Province, together with a Box containing the *Aveu et Dénombrement* of the Estates heretofore belonging to the late Order of the Jesuits in Lower-Canada, vizt.

A TRUNK MARK'D "No. 1."

"Jesuits' Papers" containing as follows:

1 Parchment Folio Book of Accounts endorsed "Des Anges."
1 Parchment cover Folio Book, endorsed "Montagne à Bonhomme ou Belair."
1 Ditto 4to. containing Contracts, &c.
1 Ditto folio ditto,
1 Green Vellum ditto, endorsed on the first leaf J. M. J. Ce Livre a été commencé le *treize* Juin 1753.—Fief de St. Gabriel.
1 Ditto in Sheep, first leaf headed "Fiefs de Notre Dame des Anges."
1 Ditto rough Calf, the first leaf beginning "Si varat annales &c."
1 Ditto Parchment, the first leaf beginning "Missio &c. Anno 1642 et 1643.
1 Ditto Green Vellum, on the first leaf "J. M. J." Ce Livre a été commencé le huit Mars 1754, "Fief de Notre Dame des Anges."
A paper endorsed "1773 Repertoire de la Jeune Lorette pour le "Revd Père Giroult."
A Paper Book, endorsed "Repertoire du Fief de St. Gabriel &c."
A Paper Book, intituled "Aveu et Dénombrement du Fief et Seigneurie du Cap de la Magdeleine."
A Ditto, entituled "Extraits des Régistres des insinuations du Conseil Supérieur de la Nouvelle France," endorsed with a Pencil "Déclaration de 1743."
A Book, without cover, marked on the first leaf "A," the first line "L'Article premier de quatre lieues d'étendue."
A Ditto with Parchment cover, endorsed "Gabriel."
A Ditto ditto, "Sillery 1719."

A ROUGH CALF PAPER CASE CONTAINING, vizt.

Paper Book, endorsed "No. 1, Notre Dame des Anges, 1 Eglise, 1 Presbytère et un terrein d'environ 4 arpens en superficie."
A Ditto, headed No. 2, Ancienne et Jeune Lorette, "deux Eglises "et deux Presbytères, 3 arpens en superficie."
A Ditto, endorsed "1733. 385 C. S. Notre Dame des Anges."
A Ditto, beginning "l'an mil sept cent quatre-vingt-un, le vingt "Juillet &c."
A Ditto, headed "Narration du Voyage fait &c."
A Ditto, ditto "l'an mil sept cent quatre-vingt-un, le 12 Juillet &c."
And other Papers.
Carte réduite des Mers du Nord.

A Parchment Folio Book, the first leaf beginning " Continuation " des Régistres précédens, dans lesquels tous les Recteurs de ce " Collége ont écrit ce qui s'est passé de considérable dans ce " Pays &c."

A yellow rough Calf quarto ditto, intituled " Comptes des Mis- " sions depuis 1758."

COMPTES DE LA RESIDENCE.

A Parchment folio ditto, marked on the Cover, " Repertoire des " Fiefs Saint Gabriel et Sillery."

A green Vellum ditto, headed " Repertoire pour servir à recevoir les " Cens et Rentes pour le Fief de Notre Dame des Anges," avec un Plan détaché du Trait-quarré de Charlesbourg.

A green rough Calf ditto containing Accounts.

A Parchment ditto, headed " J. M. J. " Ce Livre a été commencé " le——Xbre. 1753, Fief de Sillery."

A Paper Book, headed " Table des Habitans nommés dans le Papier Terrier."

A Parchment ditto, headed " Fief de Belair."

A mark cover ditto, headed, " Domeſtiques de Notre Dame des Anges, en Février 1757."

A Parchment folio ditto, marked,
" Terrier du Fief de Belair."

A Quarto ditto, containing des Donations, Conceſſions, Contracts &c. beginning by a Certificate of the Intendant Bouterone, 3 Bundles Titres, Conceſſions, Donations, Actes &c. marked A. B. C.

1—ditto, Titres de N. D. des Anges,

1—ditto, Contracts de Conceſſions a Batiscan, 1798 & 1799.

1—ditto, Conceſſions par Monſr. Desjardins, dans la Seigneurie de St. Gabriel,

1—ditto, Actes &c. &c. &c. marked D.

1—ditto, Extrait des Regiſtres du Conſeil Superieur, &c. &c. &c. E.

1.—ditto, Actes, &c. &c. F.

1—ditto, Conceſſions dans la Seigneurie de St. Gabriel, G. & H.

1—ditto, divers Papiers, I.

1—ditto, Contrats de Conceſſion K.

1—ditto, Procès Verbaux, et Obligations, et Baux, L.

TRUNK No 2.

Jeſuits' Papers, vizt:

1—Bundle of Comptes et Quittances, M. & N.

1—ditto, Papers relating to St. Gabriel O.
1—ditto, ditto, to Sillery, P.
1—ditto, Procès Verbaux, &c. &c. Q.
1—Bundle of Papers, relating to Three-Rivers, R.
1—ditto, to Batiscan, S.
1—ditto, to Batiscan, S.
1—ditto, Cap de la Magdeleine, T.
P—ditto, Belair, V.
1—ditto, N. D. des Anges, U.
1—ditto, ditto, W.
1—ditto, to the City of Quebec, X.
A Box marked, "Aveux et Dénombremens des biens autrefois aux Jésuites, contenant les dits Aveux et Dénombremens," comprised in 49 Sheets. ——
All the following Articles were left at the Jesuits', College.

Books, viz:

Dictionnaire de Trevaux, folio,	7 Vols.
Ditto, de Pontas,	3 do.
Dito, Economique,	2 do.
Pontifical Romain,	1 do.
Entretien du P. Novel, 4to.	1 do.
Meditations du P. Dupont,	1 do.
Martyrologes Romain,	1 do.
Abregé de Geographie, 8vo.	1 do.
Sermons sur les Mystères,	1 do.
Confessions de St. Augustin,	1 do.
Pratiques de Piété,	
Retraite de St. Ignace,	
Année de Chrétien,	13 do.
Mystères du Père à deux Etoiles,	
Sermons du Père Cheminées,	3me. Vol.
Ditto, sur divers sujets Morales,	
Le Maître Italien,	
Le Caractère de la Veritable et de la fausse piété,	
Les Œuvres de St. François de Salle, Offices à l'usage de la Société de Jésus,	
Théologie Françoise,	
Dictionnaire Geographique,	
Sermons de Mr. Mavoles,	2 Vols.
Conferences sur l'usure et sur la Restitution,	1er. do.
Sermon de Père Trey de Neuville,	6 do.

Leçons de la Sageſſe,
La Veritable manière de Prêcher,
Sermons du Père Bretonneau, 3 Vols.
Inſtitutions au Droit François, 2me. do.
Panégyrique des Saints, 1er. do.
Penſées du Père Bourdaloue,
La Sainte Bible, 2 Vol.
Le Chrétien en Solitude,
Les progrès de la Vie Spirituelle,
Vie de Père Regis,
Traité de la Mort de Dieu,
Entretiens de Monſieur le Commandeur xxx.
Lettres Edifiantes, 2 Vols.
Memoires du Levant, 8me. do.
Entretiens de Ciceron, 2me. do.
Nouveaux Memoires des Miſſions de la Compagnie de Jéſus, 9 do.
Hiſtoire de France, 12 do.
Spectacle de la Nature, 2 do.
Œuvres de Monſier Boileau, 3me. do.
Exerciſes de piété,
Meditations du Père Dupont,
Hiſtoire Sainte, 2 Vol.
Actions Chrétiennes, 4me. do.
Etabliſſement de la Foi, 2me. do.
Theſorier et Venomie,
Paradiſus Anna Chriſtiana,
Le veritable Art du Blaſon, 2 Vol.
Nouvelle Chirurgie Medicinale,
Les Entretiens Phyſiques, 3 Vol.
Les Sermons du Père Teraſſons, 4me. do.
Epiſtolæ prœpoſitorum Generalium ad Patres et Fratres Societatis Jeſu.
Pratiques de piété.
Les Souffrances de Jésus Chriſt,
Introductions de la Vie dévote, 3 Vols.
Officia ad usum p. p. Societatis Jesu, Supplement,
Le Journal des Saints, 2 Vols.
Conduite Chrétienne,
La Conduite de Saint Ignace,
Jesus Maria,
Extrait du Rituel Romain,
Le Nouveau Testament,
Breviarium Romanum,

Traité de la Nouvelle Orthographie,
Ordo adminiſtrandi Sacramenta,
Livres de Prières,
Méthode pour converser avec Dieu,
2 Breviarium,
La Dévotion à Jésus Chriſt,
Règle de la Compagnie de Jésus,
Pratiques des Cérémonies de la Sainte Meſſe,
Pratique facile pour élever l'Ame,
Avis donné aux Confeſſeurs,
A Trunk of Private Papers.

Dans la Chambre et Cabinet du R. P. Cazot.

Un ———
Deux Bergères,
Huit Chaises,
Un Poële de Fer avec huit feuilles de Tuyeaux,
Une Table avec un Tapis bleu,
Un Prie-Dieu,
Un Tabouret,
10 Cadres,
3 Pièces Matelas et lit garni,
2 Tables,
3 Vieilles Chaises,
2 Valises,
1 Redingote noire,
2 Soutanes,
5 Plans in Rollers,
2 Ditto without ditto,
5 Paires Souliers,
5 Paires
1 Bonnet quarré,
28 Bouteilles vuides,
1 Cane,
1 File,
1 Pièce Toile cirée,
12 Ps. vieilles Culottes,
2 Gilets,
1 Ceinture,
1 Vieux Chapeau,
1 Longuevue,

Au Refectoire.

1 Poële avec 17 Feuilles,
1 Pendule,
1 Table pliante,
6 Chaises,
2 Petits Tabourets,
1 Commode,
2 Jarres,
1 Quart à l'Eau,
3 Cruches de Grais,
1 Pilon de ——
8 Douzaines et 3 Assiettes de Grais,
5 Bolles de Grais,
3 Soupières d'Etain,
1 ditto Grais,
24 Plats ditto,
4 ditto d'Etain,
3 Ecuelles, ditto,
1 Bombe de cuivre,
5 Sellieres de Cristal,
6 Verres à pattes,
12 ditto à vin,
5 Pots de Grais,
7 Flacons,
7 Caraffes,
1 Beurier,
1 Théière,
10 Tasses à Café,
1 Plat à barbe,
2 Sucriers,
1 Douzaine Couteaux, et
1 Douzaine Fourchettes à manches noires,
9 Couteaux Communs,
3½ Douzaines Vin blanc,
2 Sauciers de Grais.

A la Cuisine.

1 Table,
1 Buffet,
1 Fontaine de cuivre,
1 Tournebroche,
3 Poëlles à frire,
1 Lêchefritte,
9 Casseroles,
3 Marmittes,
2 Chaudières de cuivre,
2 Passoires,
1 Grille,
1 Ecumoire et Cullière à pot,
3 Cafetières,
2 Chandeliers de cuivre,
1 Frillon de fer blanc,
2 Sappes,
2 Grandes Fourchettes,
1 Quart à l'Eau,
2 Paires de Pincettes,
1 Paire Chenêts,
2 Pelles,
4 Trépieds,
1 Bejeau à lâcher,
1 Souflet,
3 Entonnoirds,
1 Moulin à poivre,
1 Tableau,
1 Chaudière de fer blanc,
1 Fanal.

Au Cabinet.

1 Table,
1 Quart Vin blanc à motié vuide,
1 Canne,
1 Escabeau,
6 Targettes de fer,
7 Petites Boëttes,
1 Redingote,
3 Soutandes.

Decharge.

1 Armoire,
3 Tables,
3 Chaises Bourrées
12 ditto vieilles,
8 vieux Tapis,
2 Cruches,
20 Quarts vuides,
6 Tinettes ditto,
2 ditto de Beurre,
1 vieille Bergère,
3 grandes Casseroles de cuivre,
1 Baril de Plomb,
1 paire Balances de cuivre,
1 vieux Baudet,
1 vieille Fontaine de cuivre,
3 Chaudières ditto,
1 Chaudron,
2 Marmites,
1 Palan,
4 vieux Seaux,
1 Hache,
Des vieilles Serrures,
3 Flacons,
1 Seringue,
1 Bassin.
1 ditto cuivre,
2 bolles Blanches,
1 sac de ris,
1 Tourtière de cuivre,
1 Poissonnière,
2 Saloirs avec un p—de lard,
2 vieilles Cartes Géographiques,
1 Sellier,
2 vieilles Aiguines,
22 Bouteilles Vin blanc,
1 Chaise commodité,
2 Sappes,
5 Fers à fasquer,
1 paire Bottes de peau de mouton,
1 petite Fontaine de fer blanc,
1 Boite avec un peu de Chandelles.

Chambre occupe'e par les Domestiques.

2 Lits garnis,
2 Poëles avec 4 vieilles feuilles de taule,
9 Images,
3 vieilles Chaises,
1 Balais de crin,
1 vieux Souflet.

Linge.

42 Chemises,
27 Draps,
32 Essuie-mains,
61 Nappes,
6 Têtes d'Oreiller,
8 Mouchoirs,
2 Bonnets de Coton,
39 Ditto de Toile,
25 Paires Chaussons de Toile,
52 Torchons,

Chambre de François Dorval.

1 Poële avec son tuyau,
1 Armoire,
1 Table,
1 Lit garnids,
5 vieilles Chaises,
1 Rideau vert,
1 Chandelier de cuivre,
1 Prie-Dieu.

Ecurie.

1 Cheval et une Vache,
1 Caleche,
1 Cariole,
1 Charette,
1 Harnois complet,
300 Bottes de Foin aux environs.

Allee.

2 Cloches,
1 Hote,
1 vieille faux,
1 ditto Seri,
2 vieux Seaux de fer blanc,
1 Garde-feu,
8 Seau de cuir,
2 Escabeaux,
1 vieille Bergère,
1 Garniture de Cariole,
1 Paire Raquettes,
1 Petit Chariot,
7 Quarts vuides,
1 Baudet,
1 vieux tuyau,
1 Barrique à l'eau,
1 Poêllon de Cuivre,
2 vieilles Haches,
4 Tables sans pieds,
1 Petite Charrette,
1 Bêche de fer.

Glaciere.

2 Jarres,
8 Minots d'Avoine,
Ferrailles,
1 Fléau,
2 Cruches,
Des Poids à peser,
2 Paniers,
4 Quarts vuides,
1 Berline,
2 Cuves,
1 Chaudron,
1 Plat de Sain-doux,
2 Sappes.

CHAMBRE DE MONS. DESJARDINS.

1 Lit complet avec des Rideaux d'Indienne,
1 Bibliothêque,
1 Table,
1 Armoire,
1 Chandelier de Cuivre,
1 Miroir,
3 Chaises tournées,
1 Bergère,
1 Fautenil,
1 Prie-Dieu,
5 Pains de Sucre d'érable,
1 Chaise commodité.

CHAMBRE DU SACRISTAIN.

1 Poële avec 13 feuilles de taule,
1 Petite Table,
8 Chaises communes,
4 ditto en bois,
5 ditto bourrées,
1 Armoire double,
1 Lit garnid,
2 Armoires,
1 Bergère,
3 vieux Rideaux d'Indienne,
1 Seau de cuivre,
Quelques vieux Rideaux verts,
4 Couches.

ARGENT MONNOYE'.

This money is considered as the personal property of the late Revd. P. Cazot.

	£	s	d
Chez Messrs. Lester and Morrogh,	£65	12	9
Entre les mains de Mr. Perinault,	50	0	0
Argent prêté à diverses personnes dans leur besoin,	16	2	0
En Caisse,	25	11	8½
	£157	6	5½

Quebec, 28th March 1800.

(Signed) JA. SHEPPARD,
Sheriff.

(INDORSED.)
Inventory of Moveables belonging to the late Order of Jesuits in Lower-Canada, Seized by the Sheriff for the Diſtrict of Quebec.
Filed of Record in the Court of King's Bench at Quebec the 16th April 1800.

(Signed) Js. P.

By virtue of the within writ, I have entered upon and taken into the real and actual poſſeſſion of Our Sovereign Lord the King, all and every the Lands, Eſtates and Property, moveable & immoveable of every deſcription and nature whatſoever, ſituate, lying and being in the Diſtrict of Quebec, in the Province of Lower

Canada, which heretofore did belong to the late Order of Jeſuits, or whereof or wherein the ſaid late Order of Jeſuits, was ſeized or poſſeſſed, or had or claimed any manner of Eſtate, right, title, intereſt or demand, and which have been occupied by the late ſurviving Members of the ſaid late Order of Jeſuits within named, or any or either of them, or by Jean Joſeph Cazot, within named, and more particularly all and every the Fiefs, Seigniories, Lands and immoveable Eſtates and property within particularly deſcribed, and the moveable property in the Schedule hereunto annexed, contained—All which, I do hereby certify into His Majeſty's Court of King's Bench, of and for the ſaid Diſtrict of Quebec, as by the within writ I am commanded.

GIVEN under my hand and ſeal at the City of Quebec, in the ſaid Province of Lower-Canada, the ſixteenth day of ——————l in the year of our Lord Chriſt, one thouſand eight hundred, and in the fortieth year of His Majes——————n.

(Signed) J. SHEPHERD, Sheriff.

PROVINCE OF LOWER-CANADA,
Diſtrict of Quebec.

WE Joſeph François Perrault, and John Roſs, Eſquires, Joint Prothonotaries of His Majeſty's Court of King's Bench for the Diſtrict of Quebec, and Keepers of the Records thereof, do hereby certify, that the thirty eight preceding pages contain true Copies of certain Letters Patent, together with a certain Inventory thereto annexed, and alſo of the Return of the Sheriff of the Diſtrict of Quebec, with his doings thereon alſo thereunto annexed, the whole remaining depoſited in the Archives of the Court of King's Bench for the ſaid diſtrict.

PERRAULT & ROSS,
Quebec, 25th February 1824. P. B. K.

PROVINCE OF
LOWER-CANADA.

(Signed) DALHOUSIE, GOVERNOR,

Instrument for Cancelling all the Commissions heretofore issued for the Appointment of Commissioners for the Management of the Estates formerly belonging to the Jesuits in this Province, & Appointing new Commissioners thereto.

FIAT

Recorded in the Registers Office of the Records at Quebec the 12th day of November 1822,, in the seventh Register of Letters Patent and Commissions.—Folio 250.

(Signed,)
Ls. MONTIZAMBERT,
Actg. Prov. Secy.

GEORGE THE FOURTH by the Grace of GOD of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To all to whom theſe Preſents ſhall Come, or may in any wiſe Concern, Greeting:

WHEREAS by Letters Patent under the Great Seal of our Province of Lower-Canada, bearing date at our Caſtle of Saint-Lewis in our City of Quebec, in our ſaid Province, the ſixteenth day of July, in the year of our Lord one thouſand eight hundred, and in the fortieth year of the reign of His late Majeſty, François Baby, Thomas Dunn, Jenkin Williams, John Hale, and Berthelot Dartigny, Eſquires, were made, Conſtituted and Appointed during the Royal Will and pleaſure, Commiſſioners, as well for Enquiring into all the Immoveable Eſtates and Property, ſituate in the Province of Lower-Canada, which did heretofore belong to the late Order of Jeſuits, as for the Management, Adminiſtration, Improvement and Amelioration of the ſaid Immoveable Eſtates and Property, and His ſaid Majeſty in and by the ſaid Letters Patent did give and grant unto the ſaid Commiſſioners, divers Powers and Authorities which in the ſaid Letters Patent are particularly ſet forth and contained, to have and to hold the ſaid Appointment and Office unto them the ſaid Commiſſioners ſeverally and reſpectively for and during the Royal Pleaſure. And Whereas alſo by other Letters Patent under the Great Seal of our ſaid Province bearing date at the ſaid Caſtle of Saint Lewis, the twelfth day of December, in the year of our Lord one thouſand eight hundred, and in the forty-firſt year of His late Majeſty's Reign, the Royal Will and Pleaſure was determined with reſpect to the Appointment of the ſaid John Hale, and the aforeſaid Letters Patent were revoked and annulled, in ſo far as the same related to the ſaid John Hale, and His ſaid Majeſty did make, conſtitute and Appoint Nathaniel Taylor of the City of Quebec, Eſquire, to be during the Royal Pleaſure Commiſſioner, in the ſtead of the ſaid John Hale. And Whereas alſo the ſaid

Nathaniel Taylor (having departed this life) by other Letters Patent under the Great Seal of our ſaid Province, bearing date at the aforeſaid Caſtle of St. Lewis, the 15th day of April in the year of our Lord one thouſand eight hundred and ſeven, and in the forty ſeventh year of the Reign of His late Majeſty, Herman Witzius Ryland, of the ſaid City of Quebec, Eſquire, was made, conſtituted and appointed to be during the Royal pleaſure, Commiſſioner, in the ſtead of the ſaid Nathaniel Taylor, Eſquire, deceaſed: And whereas alſo by other Letters Patent under the Great Seal of the aforeſaid Caſtle of Saint Lewis, the twenty ſixth day of June in the year of our Lord one thouſand eight hundred and fifteen, and in the fifty fifth year of the Reign of His late Majeſty, the Honorable Pierre Amable De Bonne, John Mure, William Bachelor Coltman, and John Stewart, of the ſaid City of Quebec, Eſquires, were made, conſtituted and appointed, to be during the Royal Pleaſure, Commiſſioners jointly with the ſaid François Baby, Thomas Dunn, Jenkin Williams and Herman Witzius Ryland, Commiſſioners, as aforeſaid, with the ſame powers and authorities as in and by the aforeſaid firſt mentioned Letters Patent, were granted to the ſaid Commiſſioners, therein named; and whereas alſo the ſaid Pierre Amable De Bonne, having afterwards departed this life, by other Letters Patent under the Great Seal of our ſaid Province, bearing date at the aforeſaid Caſtle of Saint Lewis, the twentieth day of November in the year of our Lord one thouſand eight hundred and ſixteen, and in the fifty ſeventh year of His late Majeſty's Reign, the Honorable William Smith, of the ſaid City of Quebec, was made conſtituted and appointed to be during the Royal will and pleaſure Commiſſioner, in the ſtead of the ſaid Pierre Amable De Bonne, and whereas alſo by other Letters Patent under the Great Seal of our ſaid Province, bearing date at the aforeſaid Caſtle of Saint Lewis, the twenty third day of October in the year of our Lord one thouſand eight hundred and eighteen, and in the fifty eighth year of His late Majeſty's Reign, the aforeſaid Letters Patent of the twenty ſixth day of June in the year of our Lord one thouſand eight hundred and fifteen, fourthly above mentioned, were revoked and annulled in ſo far as the ſame related or had reference to the ſaid John Mure, and therein and thereby John Ready, of the ſaid City of Quebec, Eſquire, was made, conſtituted and appointed, during the Royal pleaſure, Commiſſioner in the room, place and ſtead of the ſaid John Mure, and whereas laſtly the ſaid Jenkin Williams, one of our ſaid Commiſſioners, having alſo departed this life, by other Letters Patent, under the Great Seal of our ſaid Province, bearing date at our

Caſtle of Laint Lewis in our ſaid Province the first day of June in the year of our Lord one thouſand eight hundred and twenty, and in the firſt year of our Reign; we did nominate, conſtitute and appoint Lewis Foy, Eſquire, of the ſaid City of Quebec, one of our ſaid Commiſſioners during our Royal pleaſure, in the room, place and ſtead of the ſaid Jenkin Williams, deceaſed, as therein and thereby it is fully and at large ſet forth, and with the ſeveral powers and authorities therein mentioned, now therefore know ye that for divers good cauſes and conſiderations us thereunto moving, we have thought fit to determine, and hereby do determine our Royal pleasure with reſpect to the third, fourth, fifth, ſixth, and ſeventh above deſcribed Letters Patent, and the ſame to revoke and annul, the ſaid ſeveral Letters Patent bearing date the fifteenth day of April in the year of our Lord one thouſand eight hundred and ſeven: The twenty ſixth day of June in the year of Lord one thouſand eight hundred and fifteen; the twentieth day of November, in the year of our Lord one thouſand eight hundred and ſixteen; the twenty third day of October, in the year of our Lord one thouſand eight hundred and eighteen; and the first day of June, in the year of our Lord one thouſand eight hundred and twenty; and do hereby declare every clauſe, matter and thing therein contained, reſpectively, to be null and void, and the Royal pleaſure therein reſpectively expreſſed, we have determined and do hereby determine. And know ye further that we confiding, in the integrity, loyalty & ability of His Excellency Sir Francis Nathaniel Burton, Knight of the Royal Guelphic Order, the Honorable Herman Witzius Ryland, the Honorable William Bachelor Coltman, John Stewart, Eſquire, the Honorable William Smith, and Lewis Foy, Eſquires, all of the ſaid City of Quebec in our ſaid Province, have made, conſtituted and appointed and by theſe Preſents do Make, Conſtitute and Appoint them the ſaid Sir Francis Nathaniel Burton, Herman Witzius Ryland, William Bachelor Coltman, John Stewart, William Smith and Lewis Foy, to be during our Royal Pleaſure our Commiſſioners, as well for enquiring into all the Immoveable Eſtates and Property ſituate, lying, and being in our ſaid Province of Lower-Canada, which heretofore did belong to the late Order of Jeſuits, as for the Management and Adminiſtration, Improvement and Amelioration of the ſaid Immoveable Eſtates and Property, hereby Appointing them the ſaid Sir Francis Nathaniel Burton, Herman Witzius Ryland, William Bachelor Coltman, John Stewart, William Smith and Lewis Foy, for that purpoſe, and fully and effectually giving and granting to them the ſaid Sir Francis Nathaniel Burton, Herman Witzius Ryland, William

Bachelor Coltman, John Stewart, William Smith and Lewis Foy, all, each and every, the powers and authorities granted in and by the ſaid firſt in part recited Letters Patent, bearing date the ſaid ſixteenth day of July, which was in the year of our Lord one thouſand eight hundred, to the Commiſſioners therein named, as fully and amply to all intents and purpoſes as if the ſame were herein and hereby particularly expreſſed, to have and to hold the ſaid Appointment and Office unto them the ſaid Sir Francis Nathaniel Burton, Herman Witzius Ryland, William Bachelor Coltman, John Stewart, William Smith and Lewis Foy, for and during our Royal Pleaſure. In Witness whereof we have cauſed theſe our Letters to be made Patent, and the Great Seal of our ſaid Province of Lower-Canada, to be hereunto affixed. Witness Our Truſty & Well Beloved GEORGE, EARL OF DALHOUSIE, Knight Grand Cross of the Moſt Honorable Military Order of the Bath, Our Captain General and Governor in Chief in and over our ſaid Province of Lower-Canada, Vice Admiral of the ſame, &c. &c. &c. At our Caſtle of Saint Lewis in our City of Quebec, in our ſaid Province, the eight day of November in the year of our Lord one thouſand eighth hundred and twenty-two, and in the third Year of our Reign.

(Signed) D. G.

(Signed) Ls. MONTIZAMBERT,
Actg. Prov. Secy.

I do hereby Certify the foregoing to be a true Copy of an Entry as on Record in the Regiſtrar's Office at Quebec, in Register of Commiſſions and Letters Patent No. 7, folio 250.

(Signed) Ls. MONTIZAMBERT,
Actg. Prov. Secy. and Reg.

Provincial Secretary's Office,
Quebec, 24th February 1824.

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